

Taxi Regulator
An Rialálaí Tacsaithe



Commission For Taxi Regulation
An Coimisiún Um Rialáil Tacsaithe

Innovation and Vehicle Technology

Improving quality, compliance and safety
in the SPSV sector

Commission for Taxi Regulation's
Regulatory Impact Analysis of
proposed actions for building on
progress to date

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Table of Contents

TABLE OF CONTENTS	I
1. BACKGROUND & ISSUES	1
1.1 INTRODUCTION.....	1
1.2 CURRENT APPROACH AND KEY ISSUES.....	2
2. OBJECTIVES AND OPTIONS	5
2.1 SUMMARY OF OBJECTIVES.....	5
2.2 IDENTIFYING AND REWARDING INNOVATION AND QUALITY	5
2.3 HEALTH AND SAFETY FOR OPERATORS AND USERS	5
2.4 ENHANCING DETECTION OF ILLEGAL ACTIVITIES	6
2.5 GREATER INTEGRATION WITH THE WIDER TRANSPORT NETWORK	6
3. COSTS, BENEFITS AND IMPACT.....	7
3.1 IDENTIFYING AND REWARDING INNOVATION AND QUALITY.....	7
3.2 HEALTH AND SAFETY.....	8
3.3 AREA OF OPERATION.....	12
3.4 INTEGRATION WITH THE WIDER TRANSPORT NETWORK.....	13
3.5 OTHER IMPACTS	14
4. CONSULTATIONS.....	15
4.1 INTRODUCTION.....	15
4.2 THE CONSULTATION PROCESS	15
4.3 DRIVER REPRESENTATIVES	16
4.4 DISPATCH OPERATORS	17
4.5 POLICY GROUPS.....	17
5. ACTIONS	19
5.1 INTRODUCTION.....	19
5.2 PLANNED ACTIONS	19
5.3 ENFORCEMENT AND COMPLIANCE	21
5.4 REVIEWING THE EFFECTIVENESS OF THE ACTIONS.....	21

1. Background & Issues

1.1 Introduction

The Commission has a number of stated objectives under the Taxi Regulation Act (2003) aimed at improving the quality of SPSV services, for both the benefit of service providers and their customers. In achieving this due cognisance is also to be given to the protection and safety of all parties. A further objective for the Commission is to promote innovation with regard to providing enhanced services.

To this end, the Economic Review of the SPSV Industry (2009) made a number of recommendations regarding investigating, promoting and rewarding innovation in the SPSV sector. Specifically, it recommended that innovative service and quality should be rewarded through the use of a Quality Mark. It also suggested that the use of innovative technology should be investigated, including the areas of recording working hours, for ticket integration, and street level information for SPSV users.

Following the publication the Economic Review, the Commission invited submissions from interested stakeholders regarding the Review's recommendations. Following a review of these submissions, the Commission organised a consultation process with interested parties. This discussed the above recommendations, and stakeholders also suggested innovations in other areas, such as roof signs, enforcement and compliance technology, and tachographs.

The Commission has now evaluated the proposed changes. The primary objective of this document is to summarise the evaluation of the proposed actions, and in light to of this evaluation, to present the Commission's planned actions regarding innovation and vehicle technology. A number of the actions have been accepted in principal, but the exact mode of delivery requires further investigation. This document is structured as follows:

- The remainder of *Section 1* summarises the key challenges and issues as highlighted in the review of submissions and consultation process following the Economic Review;
- *Section 2* outlines the internally (Commission) and externally suggested options for building on progress to date;
- Following this, *Section 3* presents the Commission's evaluation of the proposed actions;
- *Section 4* outlines the consultation process and summarises the views of stakeholders with regard to this topic;
- Finally, *Section 5* presents the Commission's planned actions for moving forward, together with the associated enforcement and review considerations.

1.2 Current Approach and Key Issues

1.2.1 OVERVIEW OF KEY INITIATIVES TO DATE

As part of fulfilling its objectives, the Commission has introduced a number of new and innovative systems and initiatives aimed at the qualitative improvement of the industry for both operators and customers. This has included:

- The development and rollout of the Skills Development Programme for drivers and dispatch operators;
- The introduction of improved driver licence identification and the nationwide driver register;
- The introduction of new vehicle standards;
- The centralisation of the vehicle licensing system for a more efficient and streamlined process and to enable better data collection;
- The creation of the nationwide vehicle register;
- The creation of a dedicated enforcement team and supporting systems for complaints and reporting on compliance and enforcement activity;
- The creation of a dispatch operator register and dispatch operator licensing, which is currently underway; and
- A wheelchair accessible taxi register.

The Commission intends to build on this work, and will specifically seek to address the issues outlined below.

1.2.2 IDENTIFYING QUALITY AND INNOVATIVE SERVICE PROVISION

The Commission both sets and enforces the minimum quality standards for SPSV operators. The Commission currently runs a commendation scheme for operators, whereby customers can contact the Commission to applaud specific service providers. The Commission then notifies the service provider that he/she has received this commendation.

However, both the Commission and stakeholders are fully aware that some operators provide a higher quality vehicle and customer service compared to others. This includes hackney, taxi, limousine and dispatch operator services. At present, it is very difficult for consumers to differentiate higher quality service providers prior to purchase or consumption of their services. This may be especially true when flagging a vehicle down on the street, or when ordering from a dispatch operator.

SPSV operators that provide higher quality services also find it difficult to demonstrate their superior offering to potential customers.

1.2.3 HEALTH AND SAFETY FOR BOTH OPERATORS AND CUSTOMERS

Regulation 32 of the Road Traffic (Public Service Vehicles) Regulations 1963 requires that an SPSV applicant provide a written undertaking to the licensing authority that he/she shall “not drive a public service vehicle for more than 11 hours in any one day in a period of three consecutive days”. However, the Economic Review, together with consultations with user representatives noted that some drivers may be working beyond this timeframe. A number of consultees expressed concern that this could lead to health and safety concerns for drivers, their customers, and other road users.

The Economic Review however found no strong evidence that working hours was leading to an increased incidence of collisions or accidents in the SPSV industry. That said the Commission is conscious of the need to ensure measures are in place that this does not become an issue in the future, and that the Road Traffic Regulations are observed. The key difficulty here is the ability to record or measure working hours.

A further concern for drivers is in-vehicle safety while operating, with the threat of violence from passengers a concern, especially at night time and at the weekend. Currently drivers need to hold a not insignificant amount of cash, which may incite attack.

1.2.4 COMPLIANCE REGARDING AREAS OF OPERATION

There are no restrictions as to where a vehicle is permitted to operate. However, drivers are restricted to operating in areas for which they have sat an area knowledge exam. They can add as many counties as they wish, subject to passing the exam for that area.

Permitted areas of operation are printed on the back of the driver’s identification card which the operator is required to have visible in the windscreen of the vehicle. As part of their compliance checking duties, the Commission’s own Enforcement team and the Gardai check that drivers are operating in their designated area. This process requires close proximity to the vehicle in order to check, and as such some drivers may take the risk and operate outside of their designated area.

1.2.5 INTEGRATION WITH WIDER TRANSPORT NETWORK

From a transport policy perspective, the Commission currently sits on a number of public transport groups, and meets regularly with the Department of Transport and other transport stakeholder groups such as the Road Safety Authority, RPA, Bus Eireann, Dublin Bus, Irish Rail, local authorities, the Dublin Transport Office and the Dublin Airport Authority. This gives the Commission an insight into developments in the public transport network. The Commission also makes regular submissions to transport stakeholder groups with regard to SPSV services as a transport mode within the wider transport network.

In terms of the operational integration, SPSVs work in relative isolation from the rest of the transport network at present. For example, there is no linkage between booking SPSV and other services, and there are no integrated ticketing systems. SPSV operators link with other transport terminus on the basis of expected demand for services at peak times, rather than any technically driven quantification of demand for these services.

1.2.6 TAXI RANK PROVISION

Local authorities are responsible for taxi rank provision in their respective areas. However, many drivers and their representatives consider the lack of taxi rank space, or inadequate taxi rank infrastructure to be a problem.

The Commission is currently preparing guidelines to assist local authorities with the planning of taxi ranks. The project involves the development of best practice guidelines specific to the supply of taxi ranks, their design and use in Ireland. The guidelines incorporate accessibility and integration in the overall national public transport system and emphasize the medium and long term requirements of the area be taken into consideration.

2. Objectives and Options

2.1 Summary of Objectives

In light of the challenges outlined above, the Commission has explored a number of proposed options for innovation with the following objectives in mind:

1. Identifying and rewarding innovative and high-quality service provision;
2. Promoting health and safety in the provision of SPSV services;
3. Maximising compliance with SPSV standards and regulations;
4. Integration with the wider transport network.

A number of potential options for achieving these objectives are outlined below. These were put forward during internal Commission workshops, stakeholder submissions following the Economic Review, as well as in consultations and workshops with industry representatives.

2.2 Identifying and rewarding innovation and quality

There were two main options put forward:

- The development of a Quality Mark awarded by the Commission, which helps potential customers identify high quality and innovative service providers, to both the benefit of customers and service providers;
- The launch of Operator of the Year programme, which highlights and rewards innovative and high quality service provision across a number of categories and/or regions.

An initial assessment of the potential costs, benefits and impacts of these are outlined in section 3.

2.3 Health and Safety for operators and users

A number of possible solutions were proposed regarding improving safety in the provision and consumption of SPSV services, including:

- The use of a tachograph, or other in-vehicle technology, to monitor operators' working hours;
- In-vehicle cameras/cctv to protect both operators and users;
- The use of protective screens that separate drivers from customers;
- Making in-vehicle credit or debit card payment options available, so that the amount of cash to be held by drivers is reduced.

It should be noted that there are examples of taxi companies that use in-car camera, while anecdotal evidence points to a small number of operators have installed screens. These options are evaluated in Section 3 of this document.

2.4 Enhancing detection of illegal activities

A number of options for improving the identification and detection of illegal activities have been put forward, including:

- Greater use of technology by Enforcement officers;
- The use of technology to better link the driver to the vehicle;
- Improvements or alterations to the roof sign, or other methods to identify where a driver is permitted to operate.

It should be noted that the Commission is investigating the greater use of technology for detection purposes. Due to their confidential nature, examples of this will not be discussed in this document. Section 3 does, however, outline the proposition put forward regarding where operators are permitted to operate.

2.5 Greater integration with the wider transport network

Both the Economic Review and the subsequent consultation process highlighted a number of areas to be investigated regarding integration of SPSV services with the wider transport network. This includes:

- use of innovative technology in the integration of the booking systems of other transport options with those of SPSVs;
- Integrated ticketing systems.

It should be noted that at this time no detailed example of available technologies were put forward, rather that the possibility of using these technologies should be investigated. It should also be noted that the implementation of these options will be dependent on the co-operation of third party transport operators or managers.

3. Costs, Benefits and Impact

3.1 Identifying and Rewarding Innovation and Quality

OPTION 1: THE DEVELOPMENT OF A QUALITY MARK		
<p>Description: The introduction of a Quality Mark to distinguish high quality and innovative service providers from those that only meet minimal standards. This could be applied to drivers and/or vehicles, and dispatch operators. The Commission would likely certify the system.</p> <p>Likely Impact: if the awarding of the quality mark leads to commercial benefits to service providers, then the quality mark could raise standards in the industry. A quality mark should make it easier for service users to differentiate between high and other quality level service provision.</p>		
Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	<p>Commercial benefits: Higher quality providers may get a greater volume/portion of available fares. Unlikely though that a separate/higher fare would be allowed.</p> <p>Cost savings: may be able to link with insurance premiums, for example.</p>	
Existing Drivers	<p>Commercial benefits: Higher quality providers may get a greater volume/portion of available fares. Unlikely though that a separate/higher fare would be allowed.</p> <p>Cost savings: may be able to link with insurance premiums, for example.</p>	Potential increased cost of meeting the criteria, especially for poorer quality service providers.
SPSV Users	<p>Easier for users to distinguish high quality service providers (vehicles and DOs)</p> <p>For businesses, easier to identify higher quality providers when awarding SPSV service contracts.</p>	None, assuming the costs to drivers isn't significant enough to result in an increase in the fare levels.
Dispatch Operators	Commercial benefits: Higher quality providers may get a greater volume/portion of available fares.	<p>Increased consumer expectations.</p> <p>Increased cost of meeting the criteria (standards and certification)</p>
Fleet Owners/Multiple Licence Holders	Higher quality fleet operators will find it easier to distinguish their vehicles.	Increased cost of meeting the criteria (standards and certification), if they want to upgrade their fleet.
The Commission	<p>Easier to promote SPSV services.</p> <p>Higher levels of consumer satisfaction.</p>	<p>Set-up costs – branding, promotion, IT etc.</p> <p>Admin and enforcement costs – monitoring and measuring – monitoring quality of the driver may be a particular concern.</p>
<p>Critical Success Factor(s): demonstrable net benefits to recipients of Quality Mark, together with the ability to monitor and revoke the Quality Mark, when required.</p>		
<p>Other Requirements/Issues: the criteria for receipt of the Quality Mark will determine the cost of achieving the accreditation.</p>		

OPTION 2: OPERATOR OF THE YEAR SCHEME

Description: the Commission to hold an annual recognition ceremony for operators that merit specific recognition for their contribution to the SPSV industry. This may be done on a regional basis, and could include a number of categories, including drivers and dispatch operators. Short-listing of candidates might be based on commendations from service users.

Likely Impact: Initiatives such as this may prove to promote quality improvement in the industry, while also promoting SPSV services to the users.

Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	Promotes the industry	None
Existing Drivers	Promotes the industry	None
SPSV Users	None	None
Dispatch Operators	Promotes the industry	None
Fleet Owners/Multiple Licence Holders	None	None
The Commission	Means of recognising and awarding high quality service provision in the SPSV industry.	Administrative costs of set-up, launching and ongoing maintenance of the scheme.
Critical Success Factor(s):		
Other Requirements/Issues:		

3.2 Health and Safety

OPTION 3: IN-VEHICLE WORKING HOURS RECORDING TECHNOLOGY

Description: The use of a tachograph, or equivalent in-vehicle technology, to record working hours. The presence of the technology in the vehicle would have to become a licensing condition. If feasible, Enforcement officers and others could monitor whether operators were working within the prescribed time-limits. Regulation 32 of the Road Traffic (Public Service Vehicles) Regulations 1963 requires that an SPSV applicant provide a written undertaking to the licensing authority that he shall "not drive a public service vehicle for more than 11 hours in any one day in a period of three consecutive days".

Likely Impact: if feasible to implement, this would reduce the practice of drivers operating more than 11 hours in any one day in a period of three consecutive days. This may prevent future health and safety concerns (however, the Economic Review did not find any evidence of working hours leading to health and safety concerns at present). However, there are a number of potential constraints to the implementation of this option:

- 1. Definition of working hours:** in terms of what constitutes driving time versus hours of operation;
- 2. Operators with two occupations:** are not likely to ever contravene the Road Traffic Regulations, unless they operate another PSV in their 'other' job. Therefore the tachograph would be ineffective in eliminating any health and safety concerns associated with these operators working excessive hours.
- 3. Linking operators to vehicles/tachographs:** one vehicle could have more than one operator. Therefore it has to be possible to monitor the driver's hours, and not the vehicles operating hours.

Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	None	Cost of Tachograph/related technology, although for new entrants this would be a small cost in the overall scheme of entry costs.
Existing Drivers	None	Cost of Tachograph/related technology. Restricted working hours for full-time drivers (not necessarily for operators who operate on a part time basis and have another full time occupation).

SPSV Users	May improve health and safety	Could result in increase in fares - depends on the cost of tachograph/related technology.
Dispatch Operators	None	None
Fleet Owners/Multiple Licence Holders	None	Cost of Tachograph/related technology. Issues around renting of vehicles to different people – need to separate driver operation time from vehicle.
The Commission	May assist in reaching the Commission's objectives of ensuring a safer SPSV industry for operators and consumers.	Enforcement costs.
Critical Success Factor(s): Need to address the constraints outlined above. Needs to be enforceable.		
Other Requirements/Issues: Costs of implementing and enforcing this need to be considered in terms of the need and potential benefits of implementation.		

OPTION 4: IN-VEHICLE CCTV/CAMERA		
Description: The use of in-vehicle cameras to record in-vehicle activity.		
Likely Impact: Available evidence suggests that cameras reduce the incidence of crime and are a valuable tool in accident investigation. Incidences of robberies and attacks on drivers are reduced, and the level of prosecutions of offenders goes up. Operators are more likely to report small incidents if there is a camera present too as they feel there is more of a chance the offender will be caught and it will be 'worth their while'. Major reductions seem to be achieved in 'planned crimes' when cameras are installed.		
Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	Increased safety for drivers as may act as a deterrent for passenger misbehaviour. Can be used as evidence following an incident, or to ensure that operators don't face false claims of inappropriate behaviour.	The cost of the technology and its installation.
Existing Drivers	Increased safety for drivers as may act as a deterrent for passenger misbehaviour. Can be used as evidence following an incident, or to ensure that operators don't face false claims of inappropriate behaviour.	The cost of the technology and its installation.
SPSV Users	Promotes appropriate operator behaviour.	None
Dispatch Operators	Could be used to solve consumer –driver disputes, which the DO often has to deal with.	None
Fleet Owners/Multiple Licence Holders	None	The cost of the technology and its installation.
The Commission	May assist in reaching the Commission's objectives of ensuring a safer SPSV industry for operators and consumers	Cost of investigating and promoting the use of the technology.
Critical Success Factor(s): The availability of cost effective technology.		
Other Requirements/Issues: Need to ensure there is no privacy issues for both operators and consumers. Data Protection responsibilities for drivers. Chain of evidence reliability to be assured.		

OPTION 5: IN-VEHICLE PROTECTIVE SCREENS

Description: The promotion or mandatory introduction of driver protection screens.

Likely Impact: Screens are used to protect drivers from interference from behind when operating their vehicle. Main point was that screens can be costly and ineffective as drivers leave the windows open and also tend to create an uncomfortable passenger experience, particularly for tall people. Also may result in perceived loss of tips due to inability to communicate effectively with passengers.

Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	Increased safety.	Cost of equipment and its installation. Potential cosmetic costs.
Existing Drivers	Increased safety.	Cost of equipment and its installation. Potential cosmetic costs. Some operators report reduced tips once protective screens are installed as it limits interaction with consumers.
SPSV Users	None	Some consumers report increased discomfort in cabs with protective screens installed if it further limits the leg room in the back seat.
Dispatch Operators	None	None
Fleet Owners/Multiple Licence Holders	None	Cost of equipment and its installation. Potential cosmetic costs
The Commission	May assist in reaching the Commission's objectives of ensuring a safer SPSV industry for operators and consumers	Cost of investigating and promoting the use of such equipment

Critical Success Factor(s): the availability of cost-effective equipment.

Other Requirements/Issues: A key problem is that there is a wide variety of vehicles in the SPSV industry, and there is unlikely to be one-size fits all solution. Prevalence of increased air bags, e.g. seat side and roof side airbags makes a universal design for many models a potential problem.

OPTION 6: IN-VEHICLE CREDIT/DEBIT CARD PAYMENT

Description: The ability to use a credit or debit card to pay for your SPSV journey.

Likely Impact: Make it easier for users to access SPSV services, while reducing the amount of cash that drivers need to hold in the vehicle.

Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	Promotes use of SPSV services. Security: May reduce the amount of cash that has to be held by drivers. International evidence suggests that tips are increase, under various scenarios.	Cost of purchasing, installing and maintaining the equipment. Ongoing administration costs have been applied to drivers in some jurisdictions
Existing Drivers	Promotes use of SPSV services. Security: May reduce the amount of cash that has to be held by drivers. International evidence suggests that tips increase, under various scenarios.	Cost of purchasing, installing and maintaining the equipment. Ongoing administration costs have been applied to drivers in some jurisdictions
SPSV Users	Offers alternative payment methods.	Administration charges have applied to consumers in some other jurisdictions where this option is available.
Dispatch Operators	Promotes use of SPSV services.	None
Fleet Owners/Multiple Licence Holders	None	Cost of purchasing, installing and maintaining the equipment.
The Commission	May be part of the Commission's objective of promoting innovation in the SPSV sector.	Cost of investigating and implementing the possible solutions.

Critical Success Factor(s): The availability of low cost, effective technology.

Other Requirements/Issues: A number of issues would have to be decided. For example, some key questions to include: who pays the admin costs - the operator or the consumer; do you mandate the introduction of credit card payment options or allow voluntary take up; are there benefits to specifying or advocating a particular system(s)? At present some operators do offer credit card payment options to consumers in Ireland

Preliminary research shows the following:

- Some jurisdictions make it mandatory for airport operators to have this in place;
- Mandatory introduction for airport fleet has been shown to result in strong voluntary take up in the wider fleet in some cities;
- Tips are shown to increase as a result of its use, in some cases;
- It is best to ensure the consumer has control over their card at all times so the system needs to include a swipe facility that the customer can use;
- Most regulators are involved to some degree with regard to which systems are implemented though there are some credit card payment options in place already in the Irish market;
- If its implementation is mandated it may be best to introduce it as part of a wider package of technological improvements in all vehicles.

3.3 Area of Operation

OPTION 7: EASIER IDENTIFICATION OF WHERE OPERATORS ARE PERMITTED TO OPERATE

Description: There are no restrictions as to where a vehicle is permitted to operate. Drivers are restricted to operating in areas as to where they have sat an area knowledge exam. They can add as many counties as they wish, subject to passing the exam for that area. Permitted areas of operation are printed on the back of the driver's identification card which the operator is required to have visible in the window of the vehicle. One option would be to enhance the existing signs, to make them more easily visible both inside the vehicle and externally. Alternatively, the use of the roof-sign to illustrate where a driver is permitted to operate could be considered.

Likely Impact: The easier external identification of where drivers are permitted to operate may serve to reduce the incidence of drivers operating outside of their permitted regions, as the fact that customers, Enforcement personnel and other SPSV operators can identify that drivers are operating outside their area will act as a deterrent to potential offenders.

Stakeholder	Benefits	Costs
Exchequer	None	None
New Entrants	Levels the playing field for compliant drivers.	Potential cost of new identification card, or technology-based solution.
Existing Drivers	Levels the playing field for compliant drivers.	Potential cost of new identification card, or technology-based solution.
SPSV Users	Greater assurance that service provider has requisite area knowledge.	None
Dispatch Operators	None	None
Fleet Owners/Multiple Licence Holders	None	Cost of adding the solution to their vehicle equipment (if this approach is chosen).
The Commission	Easier identification of non-compliance.	Cost of investigating and implementing the proposed solutions.

Critical Success Factor(s): The ability to link the driver to the vehicle. The availability of a cost-effective solution.

Other Requirements/Issues: Roof sign is not a secure ID nor is it permanently affixed to the vehicle. Other options may be available, and require more detailed analysis and costing.

3.4 Integration with the wider transport network

OPTION 8: INTEGRATED BOOKING SYSTEMS		
Description: Use of innovative technology in the integration of the booking systems of other transport options with those of SPSV. Likely only to be feasible in co-operation with SPSV dispatch operators and other transport managers.		
Likely Impact: This may make it easier for customers to access the whole public transport network.		
Stakeholder	Benefits	Costs
Exchequer	May be one part of wider initiative to promote use of public transport	Cost of upgrading other modes of public transport with the relevant booking facilities.
New Entrants	Promotes use of SPSV services. May benefit from increased fares.	Cost of purchasing, installing and maintaining the equipment if not affiliated to a participating DO
Existing Drivers	Promotes use of SPSV services. May benefit from increase fares.	Cost of purchasing, installing and maintaining the equipment if not affiliated to a participating DO
SPSV Users	Offers integrated door to door booking solution	Potential administration costs could be included as part of a 'booking fee', or included in the fare. This depends on the solution chosen.
Dispatch Operators	Promotes use of SPSV services.	Cost of purchasing, installing and maintaining the equipment
Fleet Owners/Multiple Licence Holders	None	None
The Commission	May be part of the Commission's objective of promoting innovation in the SPSV sector.	Cost of investigating and implementing the possible solutions.
Critical Success Factor(s): The availability of a low cost, effective solution. May require the co operation of dispatch operator(s) in order to be fully implemented, together with managers of the wider transport network.		
Other Requirements/Issues:		

OPTION 9: INTEGRATED TICKETING		
Description: the ability to use the same 'ticket' or pre-paid payment mechanism for SPSVs as with other modes of public transport, such as buses or trains.		
Likely Impact: This may make it easier for customers to access the whole public transport network.		
Stakeholder	Benefits	Costs
Exchequer	May be one part of wider initiative to promote use of public transport	Cost of upgrading other modes of public transport with the relevant ticketing equipment. Integrated ticketing solutions may require some subsidy from the exchequer
New Entrants	Promotes use of SPSV services. Security: May reduce the amount of cash that has to be held by drivers.	Cost of purchasing, installing and maintaining the equipment.
Existing Drivers	Promotes use of SPSV services. Security: May reduce the amount of cash that has to be held by drivers.	Cost of purchasing, installing and maintaining the equipment.
SPSV Users	Offers alternative payment methods.	Potential administration costs associated with ticket.
Dispatch Operators	Promotes use of SPSV services.	None

Fleet Owners/Multiple Licence Holders	None	Cost of purchasing, installing and maintaining the equipment.
The Commission	May be part of the Commission's objective of promoting innovation in the SPSV sector.	Cost of investigating and implementing the possible solutions.
Critical Success Factor(s): The availability of low cost, effective technology.		
Other Requirements/Issues: Likely to require full national solution and significant funding. Possibly could work across a smaller supply group.		

3.5 Other Impacts

The analysis above gave particular attention to the market impact of the proposed actions, the compliance burden for market operators, together with the impact on stakeholders (including those with additional accessibility requirements). The Department of the Taoiseach's Revised RIA guidelines (2009) also recommend that proposed measures are considered with respect to their impact on the environment, national competitiveness, the rights of citizens, and North-South and East-West relations. None of the options above would likely have a negative impact in any of these areas.

4. Consultations

4.1 Introduction

This section outlines the consultation process, and summarises the views expressed by various stakeholders. These views have helped to develop the proposed actions and have informed the Commission's analysis of the costs, benefits and impact of each measure.

It should be noted that this section gives only a high level summary of views expressed in the consultation process, as to re-iterate all views would be an unnecessarily burdensome task. Furthermore, the Commission is cognisant that the views of certain representatives may not be aligned to that of every single stakeholder.

4.2 The Consultation Process

The Commission seeks to consult with stakeholders on an ongoing basis. Following the publication of the Economic Review, the Commission invited interest parties to make a submission regarding the Economic Review recommendations. A number of these submissions addressed the subject of standards and innovation, both highlighting issues and in some cases suggesting actions for improvement.

Following the receipt and review of the submissions, the Commission ran a national and regional consultation process to discuss this subject, together with wider industry issues. This concluded in June 2009. This included face-to-face consultations, phone consultations, and workshops. Innovation and vehicle technology were discussed with a broad range of stakeholders, including:

- **National driver representative groups:** The Commission held a number of one-to-one consultations with national driver representative groups, including SIPTU, the National Taxi Drivers Union (NTDU), Irish Taxi Drivers Federation (ITDF) and the National Private Hire and Taxi Association (NPHTA). A workshop with the umbrella group for these four organisations was also held;
- **Regional representatives:** The Commission invited over 25 regional representatives to workshops around the country. In the cases where representatives could not attend these meetings, the Commission made a number of follow-up telephone calls to these, to discuss a range of issues;
- **Dispatch operators:** The Commission held a workshop with the Taxi Company Owners Association (a representative group) together with City Cabs, Xpert Cabs, and National Radio Cabs;

- **Policy Groups:** the Commission discussed quality and innovation in the SPSV industry with a range of policy groups including the National Consumer Agency, Failte Ireland, the Road Safety Authority, the accessibility representative groups.

Following the conclusion of consultation process, the Commission presented a summary of the process to the Advisory Council. Feedback from the Advisory Council has also informed this process.

4.3 Driver Representatives

Driver representatives are concerned with regard to operators driving their taxis outside the area to which their SPSV driver licence applies. Driver representatives proposed the a number of approaches to dealing with this, including colour coding the driver identification cards (e.g. GAA county colours), showing the operators area of operation on the roof sign and/or putting an official stamp or seal should be put on the roof sign at the time of inspection during the vehicle licensing process

Regarding the proposed Quality Mark, driver representatives stated that operators would need strong indicators of potential increased earnings before voluntarily investing in meeting higher quality standards. That is, for a Quality Mark to work, there has to be demonstrable benefits for the driver. The cost of meeting higher standards, voluntarily or otherwise, is a key concern especially in the current economic climate.

Conversely, driver representatives considered that *entry* standards should be increased. Suggestions included reducing the minimum vehicle age from nine years; proving that you have minimum driving experience; compliance with a dress code and so on. Consideration was also given to increasing the cost of entry for new entrants, on the assumption that increased entry costs would force drivers to consider the business case for entry in more depth. Note that these and other options are more akin to licensing conditions, and as such are explored in more detail and evaluated in the Commission's Licensing Conditions and Procedures Regulatory Impact Analysis (2009).

Limousine operators stated that the limousine sector consistently offers high quality service provision at present and further differentiation is not particularly necessary. They did however note that a decrease in business over the past 18 months has and will continue to put pressure on standards in the sector.

Limousine representatives also noted that the cost to customers of limousine services has also decreased, yet many still perceive such services to be beyond their price range. In this regard the word 'limousine' works against operators to some degree. They would appreciate the further

promotion of limousines such as a list of licensed limousines on the Commission website for example.

The possibility of a limousine and its driver to be recognized as a 'chauffeured vehicle' was considered and representatives indicated a willingness to work with the Commission to further develop the criteria for this category.

4.4 Dispatch Operators

Dispatch operators are in favour of measures which serve to raise standards among SPSV drivers. A number of dispatch operators stated that they lose more drivers over poor customer service and personal presentation than any other offences. With regard to standards, dispatch operators stressed that an in depth knowledge of the area of operation, excellent English, a neat dress code and good standards of personal and vehicle hygiene were essential

Regarding a Quality Mark, dispatch operators queried whether there would be a significant take-up of this if it were to be on a voluntary basis. An alternative approach would be to set the minimum standards at a higher level and then let the market decide who offers the best services.

With regard to overall mandatory qualitative standards dispatch operators stressed the importance of ensuring regulations are not set so high that they significantly limit the ability of new entrants to enter the industry.

4.5 Policy Groups

The Competition Authority made no specific comments with regard to quality and innovation in the SPSV industry.

The National Consumer Agency has a statutory responsibility to promote the use of codes of conduct by industry bodies. They would be interested in reviewing any formal proposal that the Commission develops with regard to a Quality Assurance Scheme in the SPSV industry. They highlighted that one of the main difficulties with regard to awarding a Quality Mark is the ongoing monitoring and policing of such a scheme. Standards which are not required by law are typically difficult to enforce.

Fáilte Ireland are currently developing Destination Management Plans for key tourist destinations in Ireland. They welcomed a proposed quality assurance scheme in the SPSV industry. In key tourist destinations, it is very important that high quality operators who have an in-depth knowledge of the local area can distinguish themselves. Fáilte Ireland stated that such a scheme could integrate well

within a Destination Management Plan. The branding of the Quality Mark was of particular interest to them. Operators and vehicles which have been awarded a Quality Mark must be easily identifiable. Fáilte Ireland also raised concerns about how service provision within the quality assurance scheme would be monitored and what sanctions could apply to operators who fail to meet the requirements of the scheme.

The Road Safety Authority (RSA) stated the fact that driver fatigue is a significant contributory factor to road collisions. Although the incidence of accidents involving taxis is low the RSA stated that there is a degree of under reporting in this regard. Regarding monitoring driver working hours, the RSA noted that the use of tachographs in the SPSV may be less effective or easy to implement compared to in the haulage industry.

The RSA considered that a quality assurance scheme could include mandatory advanced driver training. Participation in such courses has been shown to reduce collision rates and also reduce insurance premiums, fuel and service costs.

The Accessible Taxi Consortium and the National Disability Authority are in favour of integrated ticketing solutions and some use of publicly funded public transport passes for use with SPSVs. The ATC are in favour of further integration of SPSV services with other transport modes provided this is done in accordance with best practice with regard to accessible transport provision.

5. Actions

5.1 Introduction

Based on the evaluation of the proposed actions, this section presents the Commission's preferred actions for moving forward. Consideration is then given to how these actions will be enforced, and the arrangements that will be put in place to periodically review their effectiveness.

5.2 Planned Actions

5.2.1 IDENTIFYING AND REWARDING HIGH QUALITY OPERATORS

ACTION 1 Full RIA on possible approaches to a Quality Mark

The Commission is to complete a full RIA on the possible implementation of a Quality Mark. This will finalise the decision as to whether to proceed, given the various costs and benefits of the various possible approaches to implementing such a quality assurance scheme. As part of this process the Commission will consult with industry representatives and other relevant stakeholders. A demonstrable net benefit of the programme to both operators and consumers will be required.

ACTION 2 Commission to launch an Operator of the Year Programme

On the basis of the low cost and potential benefits outlined in Section 3, the Commission will launch an Operator of the Year programme in 2010. The commendation process and award categories will be determined in due course.

5.2.2 HEALTH AND SAFETY

ACTION 3 Commission to run a number of health and safety and working hours awareness campaigns

As a first step, the Commission will run an information campaign for drivers and for employers on the potential health and safety considerations regarding excessive working hours and driving. Other actions in this area include investigating the use of technology such as tachographs (see action 4) and altering licence application and renewal forms to include greater considerations for those that are also employed outside of the SPSV industry.

ACTION 4 Commission to launch findings on the feasibility of mandatory and voluntary use of in-vehicle products to improve health and safety for all stakeholders

The Commission has commenced a study on in vehicle technology, the findings of which are due for publication in Q1 2010. This study will assess how technology such as tachographs, in-vehicle payment systems, screens, and other technologies may assist in the achievement of a number of policy objectives such as improved compliance and enforcement, improved health and safety for both consumers and operators and further integration of SPSVs within the wider transport network. Depending on the results of the investigation, the use of these may be incorporated into vehicle standards, or merely promoted on a voluntary basis.

5.2.3 AREA OF OPERATION

ACTION 5 The Commission to investigate more effective approaches to identifying drivers operating outside their designated area.

The Commission is investigating proposals regarding roof signs along with any technological solutions available which link the driver to the vehicle and ensure that the designated area of operation is clearly displayed. Any measures introduced must be cost effective and tamper proof. The Commission will decide on the best way to proceed following the findings of these investigations.

5.2.4 INTEGRATION WITH THE WIDER TRANSPORT NETWORK

ACTION 6 Launch Taxi Rank Guidelines to Local Authorities

The Commission will launch its Taxi Rank Guidelines in Q1 2010. Under Section 84 of the Road Traffic Act 1961, as amended, a local authority is empowered to make bye-laws in respect of any specified area in its functional area appointing the places at which taxis may stand for hire. The making of such bye-laws is a reserved function of a local authority. This will continue to be the situation once the Commission's guidelines are issued.

ACTION 7 Continue to represent the SPSV industry at public transport forums

The Commission will use these opportunities to liaise with other transport providers to investigate methods of integrating SPSVs in the wider transport network.

5.3 Enforcement and Compliance

There are no significant compliance or enforcement concerns regarding the above actions.

5.4 Reviewing the Effectiveness of the Actions

The Commission will review the effectiveness of the measures on an ongoing basis. Consultations with industry and user representatives will be key in this regard.