



Commission For Taxi Regulation
An Coimisiún Um Rialáil Tacsaithe

**Submission by
The Commission for Taxi Regulation
to the
Department of Transport**

**Regarding the usage of bus lanes by all
Small Public Service Vehicles**

February 2007

The Commission for Taxi Regulation is formally recommending the usage of bus lanes to extend from taxis to all small public service vehicles.

1. Current Situation

The current situation is governed by Regulation 32 of the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) which provides at paragraph (2):

A person shall not enter a bus lane with a vehicle other than an omnibus or a pedal cycle during the period of operation of the bus lane which shall be indicated on an information plate.

Regulation 32(5)(b) provides:

Sub-article (2) shall not apply to a taxi or a wheelchair accessible taxi which is being used in the course of business.

2. Background

While the use of bus lanes is not a matter over which the Commission for Taxi Regulation has any jurisdiction, it is relevant to a number of statutory objectives set for the Commission in the Taxi Regulation Act 2003, including promoting a quality service by SPSVs, encouraging and promoting competition in relation to services offered by SPSVs and promoting efficient operation of the market.

In June 2005, the Commission published research conducted on its behalf by Goodbody Economic Consultants in the form of our “National Review of Taxi, Hackney and Limousine Services”. Chapter 9 of that review is devoted to “Improving Market Organisation and Operation” and paragraph 9.6 recommends that hackneys and limousines should be permitted to use bus lanes. The Commission endorses the findings of the Goodbody review and supports the extension of the use of bus lanes to include hackneys and limousines. In addition, there have been repeated demands from hackney and limousine interests to extend use of bus lanes to vehicles with these classes of licence.

Presumably, the decision to allow taxis to use bus lanes was based on the view that they are public service vehicles, and that access to the bus lanes would make their operation more efficient. This, in turn, would provide benefits to the consumer in that a higher level of service would be forthcoming to the travelling public as a whole if car commuters are encouraged to switch to public transport.

These same reasons apply to hackneys and limousines. Thus, the restrictions on these vehicles must be justified by other factors. While it is not clear to the Commission why they have been excluded, it is assumed that the reasons include the fact that they are less

easy to identify as SPSVs than taxis and that additional vehicles could cause congestion in the bus lanes to the detriment of bus and coach operators. In addition, there may be a belief that the very low cost of hackney and limousine licences could cause private individuals to licence their vehicles as SPSVs in order to use bus lanes. The Commission believes that these arguments do not justify the continued exclusion of hackneys and limousines from bus lanes as set out below.

3. Case to permit hackneys and limousines to use bus lanes

3(a) Capacity of Bus Lanes

In relation to the effect on bus lane capacity it should be noted that, since liberalisation of the taxi market, the numbers of hackneys has declined significantly and thus their impact on lane capacity would not be significant. At December 2006 there was 4,135 valid hackney licences and 1,146 limousine licences constituting 22.65% of the overall SPSV fleet. In Dublin, where the most demand for use of bus lanes exists, the two combined constitute only 3.9% of SPSV licences. Given that only a small percentage of hackneys and limousines would require access to bus lanes at any one time, the effect of allowing them the use of bus lanes would be marginal. There are only 17 spaces allocated by Dublin Airport Authority for limousines collecting passengers (an indication of the low level of usage). Drivers currently allocate approximately 3.5 hours for an airport pick-up due to traffic congestion. It is estimated that most limousines undertake an average of 20 pick-ups at the Airport each week and that 76% of these journeys which emanate from the Airport terminate in the city centre. Indeed, business people travelling from London regularly comment that the journey into Dublin City centre takes longer than the flight.

It should also be noted that buses are the slowest moving vehicles in bus lanes, and capacity is largely determined by their operating characteristics. It is important to note that hackneys and limousines must be pre-booked and would therefore not be stopping in bus lanes to pick up or drop off passengers which regularly happens with taxis.

3(b) Visibility of hackneys and limousines

The Commission is of the view that the new small public service vehicle tamper-proof disc affixed to the front and rear windows of all small public service vehicles could allay any concern that hackneys and limousines are not as visible as taxis by virtue of the fact that they do not have a roof sign and thus risking a break-down in compliance. In addition, the high level of compliance with bus lanes currently being experienced should also reduce this possibility.

Figure 1 – Tamper Proof disc



A tamper-proof disc (see figure 1) is now fitted to all small public service vehicles on renewal of their licence. Affixing of discs to all SPSVs on renewal commenced on a nationwide basis in October 2006. All licensed SPSVs will be required, by law, to display a disc on the front and rear window of the vehicle by October 2007. This disc will assist the Gardaí and other motorists to identify licensed SPSVs. From October 2007, the Commission will be undertaking a national awareness programme in relation to the disc.

Currently, the disc is displayed at the front and rear window of each SPSV at the left hand side. To assist the Gardaí in relation to the recognisability of hackneys or limousines, the Commission is happy arrange for the rear disc to be displayed at the right hand side and to explore further the implementation of a different colour disc for taxis, hackneys and limousines. Currently, the material surrounding the disc is yellow, however this could remain yellow for taxis, white for limousines, and possibly blue for hackneys.

3(c) Removal of Dual Licences

An additional factor in relation to this area and one which makes the need for allowing all SPSVs to use bus lanes more pressing is a recent change in SPSV regulations in relation to dual licences. Previous to the introduction of new regulations in April 2006, a single vehicle could be licensed as both a taxi and a hackney or both a taxi and limousine. This practice of dual licensing, which was not uncommon, gave rise to consumer confusion as well as enforcement difficulties. As a result, with effect from April 2006, it is no longer permitted to operate or purport to operate more than one SPSV licence in relation to a single vehicle. One of the consequences of this change is that, having been pre-booked, a limousine or hackney can no longer display a taxi sign with a view to making use of bus lanes. As a result, many limousines are being seriously disadvantaged in relation to, for example, transferring corporate or other clients to and from Dublin Airport.

3(d) Implementation of new skills development training for SPSV drivers

All small public service vehicles must be driven by the holder of a small public service vehicle driver licence. The Commission will be taking over the administration of driver licensing from the Gardaí and will introduce a new driver skills development programme which will be mandatory for all new applicants in the first quarter of 2008 and for all renewals of driver licences in the last quarter of 2008. Therefore, any new driver licences issued from 2008 onwards will require certification that this training has been undertaken. This training will be a deterrent for any private individuals seeking to purchase a hackney or limousine licence for the purpose of using bus lanes as set out in the background above.

3(e) Additional Considerations

There are a number of additional points that can be made in support of allowing hackneys and limousines to access bus lanes which are set out below:

- The wording of the current Regulations (see paragraph 1 above) does not permit the use of a licence by a private individual in an effort to navigate the traffic. In addition, the Commission proposes to increase the cost of new hackney and limousine licences to a more realistic figure. This, together with other improved standards for vehicles and drivers and stronger enforcement, will eliminate the possibility of private individuals licensing their vehicles as SPSVs for the purpose of using bus lanes;
- The tourism industry strongly supports the need to provide what they describe as a “meet and greet service” at airports, claiming it is an essential element of the country’s growing conference market. With the upcoming completion of the new National Conference centre, this becomes even more important. In addition, they point out that it is important that visitors have a swift, comfortable and safe journey to their destination;
- Similarly, with business visitors a swift, comfortable and safe journey to their destination is essential. In fact, it is argued that there are spill over benefits to the State, if foreign industrialists and other high net worth individuals benefit from a high quality private hire service as these individuals are often in positions where they are deciding on the location of significant investment and job creation projects;
- These same arguments also apply to visiting dignitaries, diplomats and trade delegations;
- A large number of both business visitors and visiting dignitaries, diplomats and trade delegations mainly use limousines and private hire vehicles for the duration of their stay in the country;

- It should also be noted that a larger number of the general public use limousine and hackney services;
- It could be argued that allowing one sector of the SPSV industry to use bus lanes while prohibiting two much smaller competing segments is a distortion of competition;
- The prohibition on hackneys and limousines using bus lanes makes their service less efficient and more environmentally unfriendly as it can cause them to have to make longer journeys and endure significant additional traffic congestion. It is in everyone's best interest that all SPSVs should be able to complete their journey in the shortest possible or most expedient and efficient route.

For these compelling reasons, the Commission strongly recommends that the use of bus lanes should be made available to all classes of SPSVs. The Commission will assist in any way it can to ensure compliance with any requirements regarding the use of bus lanes and will assist with the necessary awareness programme that would accompany any such change.