

# END OF YEAR STATEMENT 2009

# HIGHLIGHTS OF 2009

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## Commissioner's overview of the year

**2009 has seen the continued advance of a number of the Commission's objectives, notably in the form of new driver and vehicle standards for new entrants to the market. This means that for the first time since the market was liberalised, those entering the industry must prove they have a sufficient knowledge of the industry as well as geographical knowledge, and a modern, suitable vehicle. Ensuring that these new entrants are skilled and committed to the industry will help raise overall standards and ensure fair competition for all operating within the business.**

In the course of 2009, the Commission continued to demonstrate its commitment to maximising compliance and enhancing consumer confidence through effective nationwide enforcement.

2010 will see a number of measures that will further enhance entry standards, including the requirement for new taxis and hackney vehicle licences to be wheelchair accessible.

The publication of the Goodbody Economic Review and subsequent public consultation were a major contribution to an analysis of the current small public service vehicle, (SPSV) environment. The Commission's latest reforms are a proactive response to the recommendations contained within the Goodbody Economic Review and a natural progression in the ongoing reform of the industry. Some have been contained in previous action plans and have been either brought forward or progressed to a greater level of detail. These reforms build on previous successes and immediately address a number of key concerns.

Foremost amongst these is that the SPSV fleet meets its accessibility targets. As it is individuals with disabilities who are often most reliant on the door-to-door service offered by taxis, the Commission believes that there is a need to increase the number of wheelchair accessible vehicles and improve the availability of those already licensed to provide a service. Incentives offered to date, including a much lower licence fee have not sufficiently increased the wheelchair accessible fleet and the Commission has taken decisive action to address this by bringing in a period of issuing Wheelchair Accessible Licences only. This will be kept under active review to monitor its impact on the fleet overall.

Further to this, we are bringing in a number of measures that will increase standards and compliance within the industry, including fast-tracking vehicle standards to ensure uniformity by 2011. The driver skills development programme is also being fast-tracked to ensure existing SPSV driver licence holders have undertaken the test by 2012.

New regulations in relation to transferability of taxi licences between operators and new requirements for those applying for and renewing licences will increase accountability and compliance not only with the Taxi Regulation Act but also with Health and Safety, Social Welfare and Revenue legislation.

We firmly believe that at the conclusion of this reform period, Ireland will have an SPSV fleet that demonstrates excellent industry standards to the benefit of both consumers and the industry.

It is important to consider the context of these reforms. The Commission has been in existence since 2004. During this time, it has been tasked with transforming a recently deregulated industry to achieve a first class, professional, efficient, safe and accessible, customer-friendly service for small public service vehicle passengers and service providers. The Commission has always acknowledged that many operators already meet these criteria. However, reform is required to ensure that all operators meet these standards. This ensures a level playing field for operators and clearly benefits the consumer.

To this end, in the last five years, the Commission has undertaken a vast amount of work in introducing reform to the SPSV Industry. There is now a national maximum taxi fare and national taximeter area, ensuring ease for the consumer nationwide, a secure and transparent national vehicle licensing system, national complaints system, targeted industry enforcement and new vehicle and driver standards for all new entrants to the industry. Research shows that consumers are getting a higher quality service than at any previous time, that taxi usage is increasing and that formal complaints made to the Commission are falling.

A period of reform is a difficult time for any industry, and the pace at which the SPSV Industry has changed has magnified this. However, we firmly believe that at the conclusion of this reform period, Ireland will have an SPSV fleet that demonstrates excellent industry standards to the benefit of both consumers and the industry.



**Kathleen Doyle**  
Commissioner for Taxi Regulation



## Licence numbers

### VEHICLE LICENCES

As of December 2009, Commission records indicated a total of 26,937 active SPSV licences. This includes:

Hackneys	4,497
Limousines	1,305
Taxis	19,565
Wheelchair Accessible Taxis	1,570
<b>Total</b>	<b>26,937</b>

This is a decrease of 492 active vehicle licences since the previously published figure in the Commission's End of Year Statement for 2008.

### DRIVER LICENCES

The Gardaí are the issuing authority for SPSV driver licences. As of December 2009, their records indicated a total of 47,222 licences.

03

## Publication of the Goodbody Economic Review of the SPSV Industry and public consultation

In March the Commission for Taxi Regulation published the findings of the Economic Review of the SPSV Industry carried out by Goodbody Economic Consultants. The Commission instructed Goodbodies to undertake the review in order to provide information to the Commission on trends in a number of areas, including supply and demand, earnings, working hours, the impact of liberalisation, regulation and reform in the industry and consumer hiring preferences.

The review included extensive data collection through a series of surveys with SPSV drivers, householders, businesses and people with disabilities, a review of local authority and Commission statistics and consultation with key industry stakeholders including industry representative bodies. Research into international experience was also undertaken. The review made a number of key recommendations to the Commission including; further improvement of standards with fast-tracking of their implementation; introduction of a quality mark; extra enforcement; greater provision of service for people with disabilities; extra research and provision of information; recording of working hours; incentivised Dispatch Operator affiliation and usage of new technology.

Following the publication of the review the Commission announced a public consultation; it's sixth since its establishment, inviting submissions from service providers, service users, key stakeholders and any other interested parties on the recommendations of the Economic Review of the SPSV Industry.

04

## Launch of the Driver Skills Development Programme

In May 2009 the Commission launched a new Driver Skills Development Programme for the Small Public Service Vehicle Industry. Completion of the programme is mandatory for all new entrants and Dispatch Operators with immediate effect. This is the first time such a comprehensive guide and testing process has been prepared and rolled out nationally and will play an important role in achieving the Commission's objective to ensure that the industry has highly skilled drivers delivering high quality services.

Successful accreditation for new entrants will ensure they are adequately prepared to operate in their chosen geographical area and they are familiar with the rules and regulations governing the industry. Completion of the industry knowledge section of the programme for existing drivers will ensure they are up-to-date with developments within the industry

The programme replaces the knowledge test previously carried out by the Gardaí when a driver applies for an SPSV Driver Licence. An Garda Síochána continue to grant SPSV Driver Licences and process the vetting of applicants to ensure they are a 'fit and proper person' to drive an SPSV.

More information can be found at [www.spsvtest.ie](http://www.spsvtest.ie)

**05**

## Roll-out of new Vehicle Standards for new entrants

The Commission's new vehicle standards came into force for new entrants to the industry from the first of January 2009. The standards cover a number of areas including vehicle condition, basic vehicle specification, comfort and safety, including:

### **STANDARD TAXIS AND HACKNEYS**

- Vehicle age of not more than nine years
- Luggage capacity of 420 litres
- Small cars, i.e. those not capable of seating four adult passengers in comfort are no longer permitted.

### **ALL SPSVS ARE REQUIRED TO HAVE**

(For all licence holders)

- Good standard of cleanliness
- Safety equipment including a fire extinguisher, first aid kit, advance warning triangle, high visibility reflective vest
- Torch
- Pen and paper.

The primary aim of the new standards is to improve the quality of service, comfort and safety for all passengers and drivers.

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## Introduction of Dispatch Operator Licensing Process

Following the introduction last year of a registration process for all Dispatch Operators the first Dispatch Operator was licensed in Cork in September 2009. At the end of 2009 a total of 43 Dispatch Operators had successfully completed the licensing process with a larger number of applications pending final accreditation.

### LICENCES ARE GRANTED BY THE COMMISSION SUBJECT TO

- An efficient and accessible booking service
- Skills development programme certificate
- Complaints process in place
- Provision for staff training
- Up to date driver records and staff training records
- An up-to-date tax clearance certificate
- A licence fee of €250

07

## Joint advertising campaign with Road Safety Authority

The Commission for Taxi Regulation and Road Safety Authority continued their joint activity to promote the industry and responsible driving by members of the industry in 2009. A joint campaign targeted at members of the SPSV Industry was run in October to highlight the dangers of driver fatigue, reminding drivers of SPSV's of the risks they run if they are driving while tired as well as their legal obligations in relation to the number of hours they drive.

The joint campaign between the two agencies to promote the use of licensed SPSV's at Christmas also continued in 2009.

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## Distribution of a Wheelchair Accessible Taxi Register

Following the introduction of a Wheelchair Accessible Taxi Register last year a copy of the register has been distributed to the Disability Consortium of Ireland and they in turn are informing various disability groups of the Register. Consumers contacting the Commission for Taxi Regulation Consumer Information line on 1890 60 60 90 can now request contact information on Wheelchair Accessible Taxi services operating within their area.

All Wheelchair Accessible Taxi licence holders are required to give priority to bookings for people with disabilities.

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## Reforms Announcement

**Following the public consultation on the Goodbody Economic Review, stakeholder meetings and advice received from the Advisory Council to the Commission for Taxi Regulation a series of new reforms were announced in October 2009.**

The reforms focussed on progressing quality improvements in the SPSV Industry encompassing improvements to the standard of the fleet and the knowledge of those operating within it. The most important reform is in relation to the provision of accessible services and from April 2010 taxi and hackney licences will only be issued to Wheelchair Accessible Vehicles. Measures are also being introduced that will increase standards and compliance within the industry including the fast-tracking of vehicle standards to ensure uniformity by 2011 and the drivers skills development programme to ensure existing SPSV driver licence holders have undertaken the programme by 2012. New regulations in relation to transferability of taxi licences between taxi operators and new requirements for applying for, and renewing licences will increase accountability and compliance within the industry.

The supporting document published in October 2009 – *Progressing Quality Improvement in the SPSV Industry* – can be found at the Commission's website [www.taxiregulator.ie](http://www.taxiregulator.ie)

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## Development of Taxi Rank Planning Guidelines

**The National Taxi Rank Review and Development of Relevant Guidelines is ongoing and is expected to be completed in the first quarter of 2010. The project is currently at phase four and involves the following five phases:**

- 1** Consultation with County and Town Councils to gain an in-depth understanding of the current situation regarding taxi rank provision
- 2** Development of a taxi at rank model and draft guidelines
- 3** Consultation with representatives of SPSV Industry members, County and Town Councils and other interested parties to get further input to and feedback on the taxi at rank model and draft guidelines
- 4** Review and application of the model to case study locations
- 5** Production of the final guidelines.

A national review of taxi ranks was conducted during 2009 along with regular consultations with local authorities and ten in-depth case studies in areas that are each representative of a specific type of settlement/taxi usage patterns.

This work informed the development of guidelines specific to the supply of taxi ranks, their design and use in Ireland. These guidelines will be provided by the Commission to assist Local Authorities with appropriate implementation of ranks. Each phase of the review has also been informed by international best practice in the area of taxi rank provision and the development of taxi rank planning guidelines.

The guidelines provide a methodology for local authorities to forecast demand for taxi use and for taxi rank usage, to assess the costs and benefits of investing in taxi ranks, taking account of social benefits (including contribution to greater accessibility to an integrated public transport system) and demand for other uses of the road space and to assess the optimal number and location of taxi ranks in their functional area. They also outline best practice with regard to the design and construction of taxi ranks with particular emphasis on best practice with regard to accessibility.

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## Provision of information

As part of its ongoing commitment to ensure all stakeholders are kept informed and up-to-date on developments a number of documents were distributed during 2009:

- Wheelchair Accessible Taxi Register
- Three industry newsletters
- Goodbody Economic Review
- Public Consultation Paper Number 6 on the Goodbody Economic Review
- A newsletter to all registered Dispatch Operators
- Industry Reforms information leaflet
- Skills Development Manual and DVD
- Industry and consumer leaflets.

At a national and regional level regular meetings were also held throughout the year including:

- Regular meetings with national and regional industry representatives throughout the year
- Meetings with disability groups
- Meetings with other public bodies on policy-related matters
- Briefings on the reform of the industry to the Oireachtas Transport Committee
- Liaison with local authorities on the development of taxi rank guidelines
- Liaison with An Garda Síochána on Joint Enforcement Operations and Driver Licensing
- Liaison with the Advisory Council to the Commission.

The Commission also continues to operate two separate and distinct information telephone lines for consumers and for industry.

The consumer information line – 1890 60 60 90 – which operates from Monday to Friday 9am–6pm, is open to all users of the SPSV Industry and provides information on all aspects of the service, offering a one-stop-shop for consumers. It is also the first contact point for customers who wish to make a complaint. Customers may also contact this number to compliment service received.

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Approximately 7,800 calls to the consumer information line were received during 2009 at a rate of approximately 150 per week. These calls covered topics including lost property procedures, information on fares and vehicle standards, section 51 and criminal complaint queries.

The industry information line – 1890 347 347 – is an equally important service, providing members of the industry with a channel for information on the ongoing reforms to the industry.

Some 54,000 calls were received by this service during 2009. These calls related to a range of issues affecting SPSV drivers and the industry including driver and vehicle licensing, vehicle standards and the Skills Development Programme. Over 13,000 publications were distributed as a result of requests to the information lines.

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## Enforcement

**In 2009, the Commission's enforcement team continued their national enforcement role, making 118 separate visits to locations across the country. These visits often combined the enforcement role of the team with the statutory obligation to investigate customer complaints and, where required, attend District Courts to give evidence in prosecutions. The Commission's principal objective here is to optimise regulatory compliance.**

Although the Commission's enforcement team is authorised to work independently of other agencies, almost one-third of national operations involved the assistance of local Gardaí. In addition to Commission-initiated operations, An Garda Síochána undertook six separate SPSV-focussed operations ('Operation Taxi') in 2009. For each operation, the Commission provided personnel to assist Gardaí. Liaison with or working alongside Gardaí occurred on a daily basis in Dublin to reflect the enforcement needs within the capital.

The Commission's enforcement officers have also attended a number of Garda Stations to provide training presentations on SPSV regulations and enforcement and, in the final quarter of 2009, a bespoke Garda booklet on enforcing within the industry was produced by the Commission and distributed to Garda officers.

The Commission's enforcement team also worked alongside colleagues from the Revenue Commissioners and the Department of Family and Social Affairs to address the full range of compliance issues within the industry. Joint operations conducted 'at the roadside' formed only one part of the increased liaison between enforcement agencies in 2009.

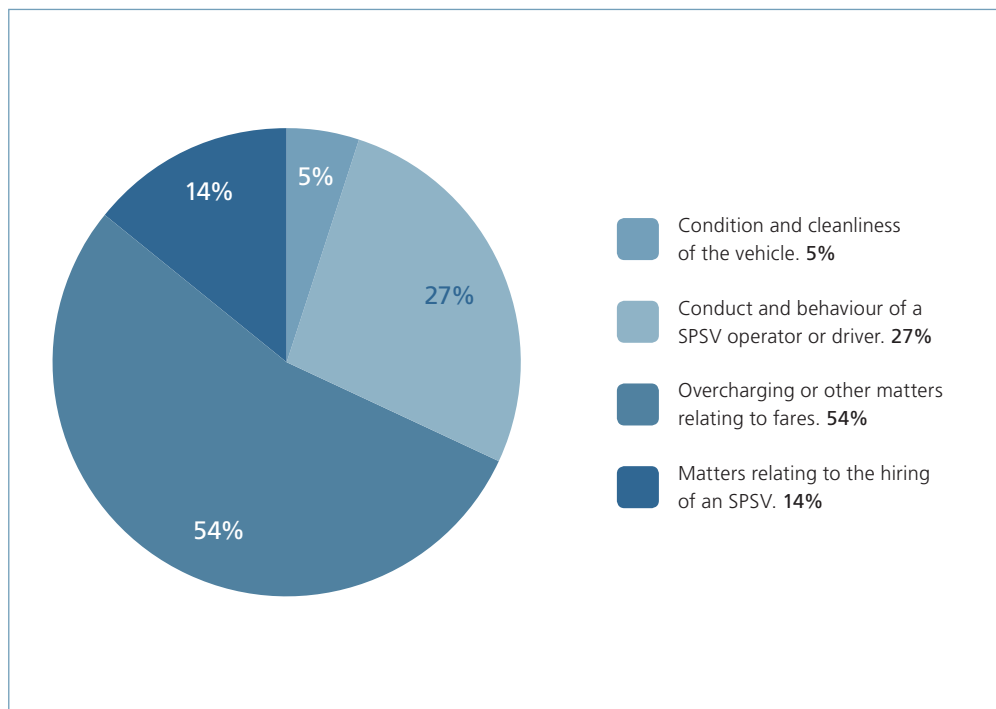
The enforcement team, assisted by the Gardaí, cover all aspects of the SPSV Industry including:

- Vehicle standards
- Vehicle licensing
- Driver licensing
- Driver conduct
- Overcharging and other matters relating to hiring.

The Commission is also responsible for the handling of the following:

- Complaints in relation to the condition and cleanliness of the vehicle
- Complaints in relation to the conduct and behaviour of a SPSV operator or driver
- Overcharging or other matters relating to fares
- Matters relating to the hiring of an SPSV.

The Commission received a total of 476 complaints in 2009.



#### **BREAKDOWN OF COMPLAINTS 2009**

Under Section 46 of the Taxi Regulation Act 2003 an authorised officer of the Commission has the power to issue fixed charge penalties for a number of offences. Contravention of a fixed charge offence attracts an on-the-spot penalty of €250. There were 401 fixed charge penalties issued in 2009.

In the event that payment is not made within 28 days from the date of issue of a fixed charge penalty, the Commission will institute court proceedings which could result in a fine of up to €2,000 together with a possible award of legal costs against the accused.

Incidence of non-compliance detected as a result of investigation of complaints or visits across the country can also in some cases result in a prosecution. The Commission undertook a total of 84 prosecutions with regard to 87 offences in 2009. Operating without a vehicle licence or without an SPSV driver licence accounted for approximately 65% of Commission prosecutions in 2009.

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## Outlook for 2010

**This year will be another important milestone for the stated mission of the Commission to achieve a first class, professional, efficient, safe and accessible, customer-friendly service for small public service vehicle passengers and service providers.**

The Commission for Taxi Regulation will publish a new Strategy Statement for the period 2010–2014 along with an updated Action Plan which will outline in further detail the reforms announced in October 2009 along with other actions planned for 2010–2011.

The Commission will launch the taxi rank planning guidelines in early 2010. These guidelines will be provided by the Commission to assist Local Authorities with appropriate implementation of taxi ranks.

From April 2010 the Commission for Taxi Regulation will only issue taxi and hackney licences to wheelchair accessible vehicles assisting the Commission in achieving its accessibility objective.

New regulations will apply with regard to the transferability of taxi vehicle licences; from April 2010 licences can only be transferred to saloon cars that are less than three years old. Any taxi licences issued from April 2010 will be non-transferable between people.

### **OTHER IMPORTANT INITIATIVES AND MILESTONES DURING 2010**

- The introduction of a new vehicle licensing administration service to incorporate annual suitability inspections for the first time
- Fast-tracking of Skills Development Programme to existing drivers
- Investigation of the feasibility of introducing a fleet licence
- Improved provision of market data to potential new market entrants
- Increased level of data collected during the driver licensing process
- The introduction of new standards for the display of area of operation
- Review of the National Maximum Taxi Fare
- Continued promotion of the use of compliant SPSVs through media.



## Editor's notes

### **PRINCIPAL FUNCTION AND OBJECTIVES**

Section 9(1) of the 2003 Act provides that 'the principal function of the Commission is the development and maintenance of a regulatory framework for the control and operation of small public service vehicles and their drivers'.

Section 9(2) of the 2003 Act requires that, in exercising its functions, the Commission shall seek to achieve the following objectives:

- a** To promote the provision and maintenance of quality services by small public service vehicles and their drivers,
- b** To pursue the continued development of a qualitative and customer orientated licensing system, regulatory code and standards for small public service vehicles, small public service vehicle licence holders and small public service vehicle drivers,
- c** To oversee the development of a professional, safe, efficient and customer-friendly service by small public service vehicles and their drivers,
- d** To encourage and promote competition in relation to services (including fares) offered by small public service vehicles,
- e** In seeking to achieve the provision of quality services by small public service vehicles and their drivers, to have due regard to the protection of service users and providers alike,
- f** To promote measures to facilitate increased integration of taxi services in the public transport system,
- g** To promote the development of high quality cost effective services by small public service vehicles and their drivers which meet a wide range of customer needs including those of passengers with mobility or sensory impairments,
- h** To promote access to small public service vehicles by persons with disabilities,
- i** To encourage investments to support and enhance the services offered by small public service vehicles and to promote innovation in this regard.

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