



NEW COMMUNITIES PARTNERSHIP

Submission on the Proposed Regulation of the Small Public Service Vehicle (SPSV) Sector **August 2011**

New Communities Partnership (NCP) is an independent national network of 117 ethnic minority led groups comprising of 75 nationalities with offices in Dublin, Cork and Limerick.

New Communities Partnership supports and strengthens our communities by the representation and participation of ethnic minorities in decision making processes and consultative fora. New Communities Partnership also provides a unified and inclusive voice for ethnic minority communities through coordination and networking with individuals and groups at grassroots level.

NCP welcomes the invitation from the National Transport Authority to make a submission in relation to the **Proposed Regulation of the Small Public Service Vehicle (SPSV) Sector**. NCP held a consultation with a representative group of immigrant taxi drivers on Monday 27 July 2011. This Submission reflects a compilation of responses arising from NCP's consultation on the issues covered in the **Proposed Regulation of the Small Service Vehicle Sector**.

BACKGROUND & FRAMEWORK

On the 1st of January, 2011, the Government authorised the National Transport Authority (NTA) to develop and maintain a national framework for regulating the operation of small public service vehicles and their drivers. This mandate was followed by the inauguration of a 16-member Taxi Review Group, on Friday the 24th of June, 2011, by the Minister for Public and Commuter Transport, as part of Government's initiative to examine standards and practices in the taxi sector. In announcing the inauguration, the Minister had urged that concerted efforts be made *'to improve standards and give fair competition to those operating within the taxi sector.'*

There was broad support amongst the representation for the mandate given to the National Transport Authority (NTA) to regulate the Small Public Service Vehicle (SPSV) sector, which if well executed would improve the quality of service, comfort and safety of all passengers and drivers within the sector (that is, taxis, hackneys and limousines).

New Communities Partnership recognizes the need to introduce an effective and rigorous standard policy framework for the SPSV sector, especially the taxi sub-sector. New Communities Partnership is therefore, putting forward this Submission, based on our consultation with immigrant taxi operators on Monday, the 27th of July, 2011.

ISSUE 1: VEHICLE AGE

The vehicle standards consultation paper published by the National Transport Authority (NTA) proposes 2 options for consideration:

Option 1 stipulates a 9-year age limit for taxis, hackneys and wheelchair accessible vehicles at change of vehicle (and new licence applications). However, vehicles older than 9 years of age, whose licences were first issued prior to 1st January 2009, would be subjected to a 6-monthly licence period and associated inspections that include roadworthiness (NCT) and suitability testing.

Option 2 provides a 9-year age limit for taxis, hackneys and wheelchair accessible vehicles at change of vehicle (and new licence applications) with renewal having an ultimate age limit of 14 years; but vehicles between 9 and 14 years of age, whose licences were first issued prior to 1st January 2009, would be subjected to a 6-monthly licence period and associated inspections that include roadworthiness (NCT) and suitability testing.

RECOMMENDATIONS

New Communities Partnership representation;

- Expressed preference for Option Two. However, many felt disappointed and alienated, because the National Transport Authority (NTA) did not include a view from immigrant taxi drivers during the process of preparing the consultation paper;
- Believed that the options open to taxi drivers under the vehicle age category were very limited and that there was not much to choose from in responding to the Authority's questionnaire;
- Raised concerns about the cost implication of regular NCT and suitability checks, stressing that it would be difficult to incur any additional expenses and still break even in the current recessionary climate;
- Proposed that the cost of additional NCT and suitability testing be borne partly or entirely by the Authority;
- Proposed an additional Option that would incorporate a 14-year age limit for vehicles but without a 6-monthly NCT and suitability testing;
- Expressed concerns over the current 3-year rule, which stipulates that new taxi operators entering the industry must have vehicles not older than 3 years old. This new regulation will prohibit new entrants to the sector given the cost of purchase of new and barely new vehicles.

ISSUE 2: VEHICLE SIZE

On the above issue, the National Transport Authority's consultation paper provides two options for consideration:

Option 1 provides that the current position be maintained whereby the size rules (as spelt out in the Taxi Regulator's "Model Report") affect all licence holders from 3rd January 2012 at any licensing transaction, including renewals.

Option 2, on the other hand, provides that the current regulation regarding vehicle size be amended such that the size rules are applied only upon change of vehicle and transfer of taxi licence ownership from 3rd January 2012. This means that existing licensed (pre-2009) taxi and hackney vehicles would not be subjected to the size rules at future renewals.

RECOMMENDATIONS

- Many immigrant taxi drivers consulted were in favour of the 2nd Option. However, the definition of size on the Taxi Regulator website was unclear and needed further clarification.

ISSUE 3: LIMOUSINE DEFINITION

Current statutory instrument (S.I. 249 of 2010) provides a legal definition of a limousine as: 'a vehicle that has an engine capacity of at least 1,900 cubic centimetres and that is evidently suited by reason of its style and condition for the provision of hire services for ceremonial occasions, or for corporate or other prestige purposes.'

RECOMMENDATIONS

- The definition generally appealed to the taxi drivers that participated in the Consultation, however, concerns were raised about the plan to subject ceremonial cars and stretch limousines over 9 years of age to 6-month licence renewal and NCT tests. The cost implications of bi-annual testing will impact on operators working in an already challenging (financial) environment. They upheld the current one-year period for licence renewal and NCT tests.

ISSUE 4: PICK-UP VEHICLES

Participants in the consultation agreed with the proposed guidelines that pick-up vehicles (also known as dual purpose or crew cab vehicles, which are vehicles that have an uncovered area for carrying goods) are commercial vehicles only suitable for the carriage of goods, and therefore are unsuitable for the carriage of paying passengers.

ISSUE 5: DARK WINDOWS

The majority of the immigrant taxi operators supported the proposal to apply the prohibition on tinted windows to all existing vehicles, other than limousines, on renewal of licence, from April 2012

ISSUE 6: EMERGING TECHNOLOGIES

The majority of participants supported the new guidelines on the issue of new technologies.

ISSUE 7: MODIFIED VEHICLES

The majority also backed the proposed guidelines regarding vehicle conversion or modification.

ISSUE 8: VEHICLE BRANDING

The NTA wishes to introduce a form of distinctive external branding or signage on all taxis to help consumers, in particular individuals with visual impairments (including night visibility) to better identify vehicles for hire on the street. This proposal was laudable in theory for the above reasons, as similar practices exist in several other countries. However, there are some important issues to consider regarding the implications of this regulation for many taxi operators.

RECOMMENDATIONS

- Immigrant taxi operators generally opposed the introduction of a single colour or a single style of complete 'vehicle wrap,' or a decal on the vehicle. They favoured the retention of the existing taxi roof sign which is illuminated when available for hire, but did not support the branding of taxis generally with a single colour, citing the use of taxis for private/domestic purposes as a major reason for their position. Many taxi drivers also use their taxis for social or private occasions and thus would not favour a generic permanent branding.

OTHER

New Communities Partnership consultation group also;

- Believe that the Taxi Regulator needs to be more proactive to protect the interest of immigrant taxi drivers, particularly regarding rules around taxis queuing for passengers on the ranks;
- Expressed strong dissatisfaction about the existing revised rule that allows a passenger to pick a taxi of their choice irrespective of its position on the queue places ethnic minority taxi drivers at a disadvantage;
- Raised concerns that members of the Garda Siochana on occasion have singled immigrant taxi drivers out regarding traffic offences re extended queuing at taxi ranks ;
- Raised concerns that the newly introduced 3-year rule for new entrants into the taxi industry may limit the numbers of prospective taxi drivers from the immigrant community, as most would find it very difficult to mobilise funds to acquire vehicles of such age;