

NORTHERN IRELAND REVIEW OF TAXI REGULATION

SUMMARY OF RESPONSES TO DISCUSSION PAPER

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Key Points

1. The Discussion Paper was issued to 20 key stakeholders, 12 of which are taxi representative bodies¹. Responses were received from all recipients bar North Belfast Taxi Association².
2. The stakeholders were asked to answer 32 questions. For 24 of those, respondents are broadly in favour of the Department's proposals. The doubts of other respondents are based mainly on lack of Government funding and the need for adequate enforcement measures.
3. Figures shown in the following paragraphs do not always add up to 20 — not every respondent answered each question in the discussion paper.

¹ See Annex A

² The opinion of this organisation has been surmised from notes of meetings held with Road Transport Regulation Branch.

Taxi Licensing System Structure

4. The proposals for the reform of the structure of the taxi licensing system are set out on pages 19-29 of the discussion document.
5. The broad intention of these proposals is to outline the theory behind replacing the current two-tier licensing system with a single-tier licensing system under which all taxis — except some of those that provide “specialist services” — would be able to stand or ply for hire as well as accept pre-booked jobs.
6. Respondents were asked to answer the following questions:
 - ***Should a single licensing system be introduced?***
 - ***What are your views on the categories of taxis proposed under a single licensing system?***
7. Most respondents (14) are in favour of the introduction of a single-tier licensing system, which is seen as the most effective way to address the majority of the problems in the taxi industry and a means to end the customer confusion that exists in the current system. Respondents, especially those from the private-hire sector, hope that a single-tier system will make the taxi industry more competitive, with all taxis permitted to ply for hire and accept advance bookings, ensuring increased benefits for operators and customers.
8. Two respondents — both Belfast-based private-hire associations — are adamant that the two-tier system must remain. One reason given is that the introduction of a single-tier system would require all vehicles to be DDA-compliant³, which given that all vehicles would be

³ Disability Discrimination Act 1995

built to the same specification, would lead to increased, rather than less, customer confusion.

9. Under the proposed single-licensing system, there would be several categories of taxis: regulated taxis; taxibuses; executive cars; wedding and funeral cars; and stretch limousines. Of the 17 stakeholders who responded to Question 2, 11 feel that the categories are acceptable. The two respondents who disagree with the introduction of a single-licensing system feel that the existing categories are sufficient. They also stated that the proposed new categories could be implemented only with Government funding.
10. The Department for Regional Development has serious reservations about **Category 2 — Taxibuses**, which would, in its opinion, result in dual licensing of taxis operating bus-type services and a lack of flexibility in allowing taxis to do all types of work.
11. There are concerns from the public-hire sector and DVLNI that **Category 3 — Executive Cars** could be abused, especially by large private-hire operators.
12. Two respondents acknowledge that there is a need to licence **Category 5 — Stretch Limousines** as taxis.

Availability of Disabled-Accessible Taxi Services

13. The proposals for the availability of disabled-accessible taxi services are outlined on pages 31-44 of the discussion document.
14. It is proposed that within the next 20-25 years, all “regulated taxis” should meet the DDA accessibility requirements. This section describes the proposed methods through which to achieve this and how they will affect the industry in Northern Ireland.
15. Respondents were asked to answer the following questions:
 - ***Is the outline implementation timetable for the phasing in of accessibility requirements for all regulated taxis” reasonable?***
 - ***What are your views on the proposed “interim arrangements”?***
 - ***Do you agree that taxibuses should be required to be accessible?***
 - ***How do you regard the proposed measures designed to facilitate the transition towards all “regulated taxis” becoming accessible. I.e. the introduction of age limits for existing vehicles and significantly reduced licence fees for accessible vehicles?***
16. The accessibility requirements are welcomed generally by the public-hire sector. Most non-taxi organisations are receptive to the proposal to increase the numbers of accessible vehicles but have reservations about the cost implications for the trade and the knock-on effect on

fares. A proportionate requirement, with regard for the needs and preferences of disabled people, is the preferred option.

17. Respondents from the private-hire sector are for the most part opposed to the requirement for all taxis to become DDA-compliant. The private-hire associations referred to in paragraph 8 are adamant that the two-tier system must remain, thus negating the need for the accessibility requirements, which are seen as insane and unaffordable.
18. There are fears that the accessibility requirements and subsequent cost implications may lead to an increase in illegal taxiing (DVLNI); place an unacceptable financial burden on taxi operators and drivers (PSNI); and increase fares to such a level that the public will not be able to afford them (Mid Ulster Taxi Association, Newry Taxi Association and the General Consumer Council).
19. The majority of respondents reacted adversely to the outline implementation timetable for the phasing in of accessibility requirements for all “regulated taxis”. Of the 17 organisations that answered, 14 found it to be unreasonable. The main concern is that the timetable is too long. One suggestion is to reduce it from 25 years to 10.
20. One third of respondents consider the proposed interim arrangements for providing totally accessible taxi services to be “adequate”. A further third reiterates the sentiment that the implementation timetable is too long. Two respondents stated that the practicalities of the proposals need further clarification before a sound response can be given.
21. When asked whether taxibuses should be required to be accessible, 16 respondents answered yes.

22. The introduction of age limits for existing vehicles received a mixed response — four respondents are in favour, five respondents are against. A further four respondents, each from the public-hire sector, stated that annual roadworthiness tests would be a more accurate measure of whether a vehicle was suitable to provide taxi services.

23. The proposal to significantly reduce licence fees for accessible vehicles was greeted much more favourably — 11 respondents welcome this. Five respondents, however, feel that compared to the financial outlay necessary to provide disabled-accessible vehicles, this is not a good enough incentive.

Regulation of Taxi Fares and Taximeters

24. The proposals for the regulation of taxi fares and taximeters are listed on pages 59-61 of the discussion document.
25. It is proposed that all taxis be fitted with taximeters, which must be of an approved type, with a printer facility, and all fares must be calculated using taximeters. Taximeters will be subject to annual calibration, testing and sealing either by DVTA or by a fitter or workshop approved by the Department. All taxi operators would be free to set the level of their fares, meaning that Belfast Public Hire taxis would no longer be regulated. All fare tariffs will have to be notified to the Department, which will issue official fares cards.
26. Respondents were asked to answer the following questions:
 - ***Should all taxi operators be free to set the level of their own fares?***
 - ***What are your views on the proposed regulation of the structure of fare tariffs?***
 - ***What are your views on the proposed requirements relating to fares cards?***
 - ***Should all taxis be fitted with taximeters?***
 - ***Should all fares be calculated using a taximeter, subject to negotiation of a lower fare?***
 - ***Should all taximeters be of an approved type?***

- ***Should all taximeters be subject to annual calibration, testing and sealing?***
- ***What are your views on the proposed requirements relating to the compulsory production, on request, of taximeter-generated printed receipts?***
- ***Should operators' fare tariffs be published?***

27. Of the respondents, 13 feel that operators should not be free to set the level of their own fares. The main reason for this answer is that this would lead either to larger operators setting unrealistically low fares, thus making it impossible for smaller operators to compete, or to higher prices across the board.

28. Six respondents agree with the proposed regulation of the structure of fare tariffs, with four respondents disagreeing. Those in agreement feel that a standardised structure of fare tariffs would reduce the potential for exploitation and allow consumers to make better-informed choices. A further six respondents — five public-hire, one private-hire — make the case for a multi-tariff fare system, to reflect differences between day and night, and rural and urban areas.

29. Most respondents (11) are happy with the proposed requirements for fare cards. However, three respondents point out that an information card — showing details of complaints procedures etc. — might be of more use. Three respondents have misgivings, the concern being that consumers might be led to assume that the fare cards are an indication of the Department's endorsement of the fares being charged by that operator.

30. The majority of respondents (16) feel that all taxis should be fitted with taximeters.

31. All respondents, bar one, feel that all fares should be calculated using a taximeter. However, only half of the respondents agree that this should be subject to the negotiation of a lower fare. Six respondents are opposed strongly to this suggestion, while two respondents feel that this measure should extend only to fares charged for contract work.
32. The proposal that all taximeters be of an approved type is welcomed generally — 13 respondents are in favour. Four respondents from the private-hire sector are against the proposal because they feel that the requirement for all operators to purchase the same taximeter will push up prices and that an approved specification, therefore, is a better idea.
33. The majority of respondents (16) agreed that all taximeters should be subject to annual calibration, testing and sealing.
34. Of the respondents, 14 are happy with the proposed requirements for the compulsory production, on request, of taximeter-generated receipts. Receipts are seen as common practice in other public service industries, and it is thought that they will benefit operators — by ensuring that the fare cannot be disputed — and customers — by offering peace of mind that they haven't been "ripped off". Respondents who do not share these opinions generally contradict their answers to question 10 — ***should all taxis be fitted with taximeters?*** Although they answered positively to that question, they go on to state that the production of receipts would be an unnecessary expense due to the cost of installing taximeters.
35. It is agreed widely — 16 respondents — that operators' fare tariffs should be published and that further discussion is needed to determine the most appropriate place. The publication of fare tariffs is seen as a means to end consumer exploitation. Those respondents, who advocated an information card, rather than a fare

card, feel that that would be the place to display operators' fare tariffs.

Operator Licensing

36. The proposals relating to operator licensing are outlined on pages 66-7 of the discussion document.
37. It is proposed that any person who invites or accepts a taxi hiring/booking must hold a taxi operator's licence.
38. Respondents were asked to answer the following questions:
 - ***Should all taxi operators have to be licensed?***
 - ***Should the requirement to be licensed as a taxi operator extend to sole operators?***
 - ***Are the suggested requirements for a taxi operator's licence reasonable?***
 - ***Are the suggested requirements for a taxi operator's licence sufficient to ensure that only reputable operators can become licensed?***
 - ***What are your views on the proposed arrangements for ensuring compliance with taxi operator licensing requirements?***
39. All but one respondent — a private-hire association — believe that taxi operators should be required to be licensed. The reason given by the association that doesn't support this proposal is that only firms with more than a certain number of vehicles should be required to be licensed.

40. Again, most respondents (15) agree that the requirement to be licensed as a taxi operator should extend to sole operators. One reason given by those who disagree with this proposal is that it will lead to an increase in the number of illegal taxis. One respondent requested further information on the implications of the proposal before making a decision.
41. One respondent believes that the suggested requirements for a taxi operator's licence are unreasonable — too complicated. Although 15 respondents find them reasonable, several stated that they should be reviewed periodically by the Department and monitored to ensure that they are not having an adverse effect on costs.
42. Most respondents (10) agree that provided that they are kept under constant review, the suggested requirements for a taxi operator's licence are sufficient to ensure that only reputable operators can become licensed. General consensus is that operator licensing will create a fairer and more equitable system. Five respondents don't think that the requirements are adequate, and one respondent feels that their effectiveness will depend on enforcement.
43. A respondent from the public-hire sector suggests that the requirements for a taxi operator's licence be extended to necessitate operators to make monthly statistical returns to the Department, stating the number of vehicles and names of PSV drivers in each depot. This association suggests also that operators be required to place a bond with the Department, which would commit them to the guidelines contained in paragraph 7.11 of the discussion document.
44. Following on from this, when asked for their views on the proposed arrangements for ensuring compliance with taxi operator licensing requirements, the majority of respondents (10) feel that this will depend on enforcement levels. Only four respondents feel that the proposed arrangements are adequate; one respondent feels that they

are unnecessary; and two respondents feel that they are inadequate, regardless of enforcement.

Driver Licensing

45. The proposals relating to driver licensing are outlined on pages 71-3 of the discussion document.
46. It is proposed that the taxi driving test be re-introduced; that applicants for a taxi driving licence should be aged 21 or over and have held a full driving licence for a car for at least three years; and that a requirement be introduced for all new and existing taxi drivers to undergo disability awareness training.
47. Respondents were asked to answer the following questions:
 - ***Should there be a minimum age for a taxi driver's licence and should the length of driving experience be increased?***
 - ***Should a specific taxi driving test be re-introduced?***
 - ***Should all taxi drivers be required to have disability awareness training?***
 - ***Do you agree that all new taxi drivers should be required to demonstrate competency in the whole range of skills outlined in Paragraph 8.19?***
 - ***Should existing drivers be encouraged to demonstrate competency in the whole range of skills as outlined in Paragraph 8.19?***
 - ***Do you agree that there is a need for additional identification of the driver inside the vehicle?***

48. The majority of respondents agree that there should be a minimum age for a taxi driver's licence and that the length of driving experience required should be increased. The suggestions for the minimum age range from 21 years old to 25 years old, and two respondents suggested that drivers should be required to have between 12 months' and three years' driving experience.
49. Respondents who disagree with this proposal (minimum age) have done so for two reasons: either they feel that it may be unlawful under age discrimination laws; or they feel that it is unnecessary given the difficulty that younger drivers — mainly those under 25 — have in getting insurance.
50. It is agreed widely — 15 respondents — that a specific taxi-driving test should be re-introduced. Reasons given are that this would, perhaps, help to lower prohibitive insurance costs and to improve driving standards and quality of service. The three respondents who are against the reintroduction of a specific test do not have any grave misgivings — they feel simply that current arrangements are adequate.
51. Of the respondents, 17 agree that taxi drivers should be required to have disability awareness training. The private-hire association that disagrees does so based on its belief that the numbers of disabled people in Northern Ireland are vastly inflated.
52. The majority of respondents agree that all new taxi drivers should be **required** to demonstrate competency, with all existing drivers **encouraged** to demonstrate competency, in the range of skills outlined in paragraph 8.19 of the discussion document. One respondent pointed out that to ensure a good uptake amongst existing drivers, it might be better to **require** them to demonstrate competency.

53. Two thirds of respondents agree that there is a need for additional driver identification inside vehicles. Several respondents make the point that given the political situation in Northern Ireland, thorough consideration must be given to the correct format for the additional identification. The main reason given by the four respondents who are against additional identification is that they cannot envisage what else could be displayed.

Vehicle Licensing

54. The proposals for vehicle licensing are on pages 79-82 of the discussion document.

55. They include suggestions for five categories of vehicle licence; proposals relating to type approval, PSV requirements and licensing procedures; new insurance requirements; and proposed maximum age restrictions for taxi vehicles.

56. Respondents were asked to answer the following questions:

-Do you agree with the proposal to re-define a taxi as a PSV having between four and eight passenger seats?

-Do you agree with the proposed requirements for a taxi vehicle licence as set out in Paragraph 9-16?

-What are your views on the age limit proposals?

57. When asked whether they agreed with the proposed requirements for a taxi vehicle licence, eight respondents stated that they do, with two respondents saying that they do not. Six respondents agree with the principle behind the proposal but have certain reservations. These include the feeling that to work effectively, the requirements must include biannual testing, starting 10 years from the date of first registration. These respondents also lodge an objection to the age requirement for regulated taxis, and feel that thought must be given to the changes that would be necessary in vehicle testing; the likelihood of the requirements affecting consumers adversely; and the need for regulated taxis to be split into two groups — public hire and private hire.

58. It is felt generally that the age limit proposals are unnecessary as whether a vehicle is roadworthy is more important. Three respondents stated that they found the age limit proposals, as set out in the diagram in the discussion document, confusing and hope that there will be more clarity in the public consultation document.

Enforcement

59. Proposals relating to enforcement are on pages 88 & 89 of the discussion document.
60. The proposals include giving authorised vehicle examiners the power to stop taxis suspected to be unlicensed and the power to seize equipment. PSNI officers will be given the power to remove a taxi vehicle licence, disc or plates where a notice of prohibition is issued in respect of a defective vehicle. It is also proposed that a review of offences and penalty provisions be carried out, leading to the possible introduction of a “taxi penalty points” scheme.
61. Respondents were asked to answer the following questions:
- ***Do you agree with the outline proposals to grant additional powers of enforcement to authorised vehicle examiners and police officers?***
 - ***Do you agree with the outline proposals to extend the range of taxi licensing offences and impose stiffer penalties for taxi licensing offences?***
62. Most respondents (16) are in favour of the proposals to grant additional powers of enforcement to authorised vehicle examiners. This proposal is supported provided the necessary funding is made available to ensure that enforcement is effective and covers the whole of Northern Ireland. If managed properly, it is seen as a means to clean up the industry. Several respondents point out that with increased enforcement, there must be a clearly defined appeals procedure to ensure fairness.

63. Fewer respondents (14) agree with the proposal to grant police officers the power to remove PSV discs.

64. The majority of respondents (16) agree with the proposals to extend the range of taxi licensing offences and impose stiffer penalties. Once again, however, this support is based on the assumption that the new penalties will apply everywhere and there will be a fair and equitable appeals procedure.

Miscellaneous Issues

65. Miscellaneous proposals are listed on pages 98-102 of the discussion document.
66. The proposals include a new Taxis Act; the revocation of the Belfast By-Laws; criteria for the licensing of stretch limousines; taxi access to bus lanes; a review of taxi rank provision; a public information campaign; the creation of a taxi consultative forum; and detailed guidelines for advertising on vehicles.
67. Respondents were asked to answer the following questions:
 - ***What do you consider is the best way of informing the public about hiring a taxi?***
 - ***Do you agree that there is a need for a consultative forum for the purpose of improving communication between key stakeholders?***
68. Suggestions on the best way to inform the public about hiring a taxi include: adverts in newspapers and on the radio and television; information leaflets to be placed in places such as libraries, post offices and bars; specially manufactured items such as beer mats and key rings; pages on the Internet; signs at taxi ranks; and specially commissioned billboards.
69. Each of the 15 respondents who commented on whether there should be a taxi consultative forum agreed that this is a good idea. Several of these respondents made it clear that the forum would work only if it were inclusive, open to representatives from all sections of the industry and reflected the interests of those in both urban and rural areas.

Annex A

The Discussion Paper was issued to the following organisations:

- Belfast City Airport Taxis
- Belfast Private Hire Taxi Proprietors' Association
- Belfast Public Hire Taxi Association
- Causeway Taxi Owners' Association
- Department for Regional Development
- Derry Taxi Association
- Driver and Vehicle Licensing Northern Ireland (DVLNI)
- Driver and Vehicle Testing Agency (DVTA)
- Education and Library Boards
- Equality Commission for Northern Ireland
- General Consumer Council Northern Ireland (GCCNI)
- Mid-Ulster Taxi Association
- Newry Taxi Association
- North Belfast Taxi Association
- North West Taxi Proprietors' Ltd (NWTPL)
- Northern Ireland Transport Advisory Committee (NITAC)/Disability Action
- Police Service of Northern Ireland (PSNI)
- West Belfast Private Hire Taxi Association
- West Belfast Taxi Proprietors' Association
- West Belfast Taxis (Transport) Ltd