



Belfast City Council

Report to:	Development Committee
Subject:	Consultation on Taxi Act (NI) 2008 Taxi License and powers of Seizure
Date:	27 September 2011
Reporting Officer:	John McGrillen Director of Development ext 3470
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1	Relevant Background Information
1.1	This report outlines proposals made by the Department of the Environment (DOE) Road Safety and Vehicle Regulation Division (RSVRD) on introducing new regulations and requirements regarding a Taxi Operator Licensing solution within Northern Ireland (NI).
1.2	The Taxi Act (NI) 2008 gives the Department powers to develop new legislation aimed at modernising the industry. The proposed regulations will change the requirements for vehicles to be used as Taxis in NI and will make provision for testing and licensing of vehicles under the powers provided for by the Act and for the retention and return of vehicles seized by the Department .

2	Key Issues
2.1	<ul style="list-style-type: none">- For information a summary of the changes proposed in the consultation is outlined below:- It is proposed that the production of a valid certificate of insurance for the vehicle will be required at the time of the Public Service Vehicle (PSV) test

2.2	- All vehicles first licensed as a Taxi after 1 January 2012 must be M1 type approval, in order to ensure that all vehicles that are to be used as Taxis are constructed safely to appropriate European standards. (Currently only Belfast Public Hire Taxis are required to have M1 type approval. All cars manufactured in Europe are designed and tested to a predetermined standard. Cars are identified as being M1 vehicles and must comply with the M1 standard to be sold in Europe)
2.3	- A new single tier for licensing of Taxis is proposed which will allow all taxis to be pre-booked and to be hailed on the street, but only wheelchair accessible ones to stand at Taxi Ranks. (Currently Taxi operators can choose to apply for one of three classes of license; Belfast public hire; Public hire outside of Belfast; and Private hire. Alternatively they can operate as a taxi bus along a pre approved route). The Taxi Act 2008 aims to introduce a single tier licensing system across NI.
2.4	- It is proposed that Taxi ranks are only to be used by disabled accessible vehicles from 2016 onwards.
2.5	- It is proposed that new taxi licence plates are to be displayed on a roof sign (no longer plates fixed to front and rear of vehicle)
2.6	- All taxi plates will be black and yellow and wheelchair accessible taxis will display the international wheelchair symbol on the plate.
2.7	- DRD will take over the licensing of the Taxis bus routes and decide how Taxi buses will be identified. Once route and service licensing has been agreed, DOE will issue proposed new Taxi plates.
2.8	- It is proposed to introduce new Regulations to require that vehicles first licensed as a Taxi after 1 January 2012 and retro-fitted with an LPG system must have that system in compliance with Road Vehicles (Approval) Regulations 2009.
2.9	- It is proposed to expand the requirement for an engine to be switched off when the fuel cap is open, regardless of the fuel type.
2.10	- Current legislation requires only one person is to be carried in each individual front seat. The Department proposes to extend this so that only one person can be seated in each individual rear seat.
2.11	- It is proposed to set out requirements for the use of steps used by Taxis and upholstery used inside taxis
2.12	- It is proposed that all taxis must have four doors.
2.13	- It is proposed that all taxis apart from stretched limousines will be right hand drive.
2.14	- The Department proposes to clarify the requirement for a Taxi to be able to carry a reasonable amount of luggage with a minimum amount of space of 80 litres to be required. It is also proposed that the carrying capacity should be separate from the carriage of passengers for safety reasons.
2.15	- It is proposed that Taximeters should not be mandatory in Taxis until the introduction of a maximum fare has been researched and if necessary introduced.
2.16	- It is proposed to remove the exemption for Taxis to use the required child restraints when an advanced booking is made and the operator is informed of need for the restraint.
2.17	- It is proposed that where Education Boards and registered charitable organisations assess individuals as suitable for the payment of petrol/mileage expenses but these individuals are not operating public service vehicles, the exception should continue to apply .
2.18	- It is proposed that any vehicle seized would be returned to the owner on production of a valid Taxi license

2.19	<ul style="list-style-type: none"> - It is proposed to allow for the return of vehicles which do not have a valid Taxi license at the time of seizure to allow it to be prepared for the Taxi license test. - It is suggested period of 14 days after which the seized vehicle would be sold and destroyed - Since the Department will receive no government funding, it is proposed to charge fees for storage of seized vehicles. - Members have previously welcomed the recommendations to review the Taxi Regulations under the Taxis Act (Northern Ireland) 2008. The Department are requesting further comments on new provision for testing and licensing of vehicles under the powers of the new act. The consultation questions relating the proposals highlighted above are attached in Appendix 1.
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3	Resource Implications
3.1	No resource implication

4	Equality and Good Relations Considerations
4.1	No considerations attached to this report

5	Recommendations
5.1	<ul style="list-style-type: none"> - Members are asked to note the proposals for changes to Taxi License and powers of seizure and agree any comments to be submitted as a Council response prior to the consultation closing date.

6	Decision Tracking
Timeline 30 th September submit response Reporting Officer: John McGrillen	

7	Key to Abbreviations
DOE - Department of Environment PSV -Public Service vehicle LPG – Liquid Petroleum Gas	

8	Documents Attached
Appendix 1 – list of consultation questions	

List of Consultation Questions:

- Q1:** Do you agree with the proposal to require evidence of a valid certificate of appropriate insurance for the vehicle at the time of testing?
- Q2:** Do you agree with the proposal to require all vehicles first registered as Taxis after 1 January 2012 to be M1 type approved?
- Q3:** Do you agree that all Taxis should be able to be hailed and to pick up without a pre-booking?
- Q4:** Do you agree with the proposal to require all vehicles standing at ranks to be wheelchair accessible in the future?
- Q5:** Do you consider a lead in period of 4 years is sufficient for existing drivers to plan for a move to a wheelchair accessible vehicle if they wish to continue standing at ranks outside Belfast?
- Q6:** Do you agree with the proposals to continue to require all wheelchair accessible vehicles used at Taxi stands to comply with these requirements?
- Q7:** Do you agree with the proposals to require the Taxi plates to be fixed to the Taxis roof sign rather than the front and back of the vehicle?
- Q8:** Do you agree with the proposals to differentiate wheelchair accessible vehicles from other Taxis?
- Q9:** Do you agree with that the exemption for vehicles used for purposes in connection with the NICS, industry and commerce should be removed from the roof sign provisions?
- Q10:** Do you agree with the proposals for Taxi bus plating as a short term measure?
- Q11:** Do you agree with the requirement for retro-fitted LPG systems to be fitted and certified in compliance with the Road Vehicles (Approval) Regulations 2009?
- Q12:** Do you agree with the proposal to expand the requirement for an engine to be switched off when the fuel cap is open, regardless of the fuel type?
- Q13:** Do you agree with the proposals to require only one passenger to be carried per seat?
- Q14:** Do you agree that the Department should take account of safe and unobstructed access and egress when the assessing maximum seating capacity of a Taxi?
- Q15:** Do you agree with these proposed requirements for the steps to be used by Taxis?
- Q16:** Do you agree that the requirement for upholstery should be expanded to cover all Taxis and to require cushioned upholstery?

Q17: Do you agree with the proposed expansion of the requirement for the four doors of a Taxi?

Q18: Do you agree with the proposal to require all Taxis apart from stretched limousines to be right hand drive?

Q19: Do you agree with the 80 litres minimum carrying capacity proposed for all Taxis?

Q20: Do you agree that the carrying capacity should be separate from the carriage of passengers for safety reasons?

Q21: Do you agree that Taximeters should not be mandatory in Taxis until the introduction of a maximum fare has been researched and, if necessary, introduced?

Q22: Do you agree with the proposal to remove the exemption for Taxis to use the required child restraints when an advanced booking is made and the Operator is informed of the need for the restraint?

Q23: Do you agree that where Education Boards and registered charitable organisations assess individuals as suitable for the payment of petrol/mileage expenses but these individuals are not operating public service vehicles, the exemption should continue to apply?

Q24: Do you agree with the proposals that any vehicle seized would be returned to the owner on production of a valid Taxi Licence?

Q25: Do you agree with the proposal to allow for the return of vehicles which do not have a valid Taxi Licence at the time of seizure?

Q26: Do you agree with the suggested period of 14 days, after which the seized vehicle would be sold or destroyed?

Q27: Do you agree with the registered keeper having to pay all fees to cover the costs of retention and recovery prior to the vehicle being returned to them?

Regulatory Impact Assessment

Q28: Do you agree with the assumptions of the impact of the proposed changes? If not, please can you explain why and provide any evidence which supports that view?