

FARE PLAY FOR TAXI-DRIVERS



We recognise that drivers working in the Taxi industry have suffered a substantial drop in their income in recent times which has brought with it long hours of work as well as increased strain on family and personal lives.

In this document we set out the broad thrust of the issues that we believe need to be addressed within the Taxi Industry for the benefit of both Taxi drivers and customers.

The Sinn Féin candidates standing for election to the 31'st Dáil, if elected in sufficient numbers, commit to the introduction of legislation to reform the Taxi Industry whether that be from the Government or the opposition benches.

INTRODUCTION

The mission statement of the Commission for Taxi Regulation was according to themselves “to provide a regulatory framework that enables compliant and professional small public service vehicle licence holders to provide a first class, efficient, safe and accessible and customer friendly service”.

Sinn Féin shares this commitment but argues that this stated objective is very far from the reality of the taxi industry at present. We believe there are a number of structural problems in the industry that need to be tackled if the vision outlined above are to be achieved.

The Commission was dissolved by the Minister for Transport on the 1 January 2011 and the National Transport Authority will now carry out the principal functions of the Commission as the Taxi Regulation Directorate. The directorate envisages the setting up of an advisory committee on the Taxi industry though this has not as yet occurred, Sinn Féin would ensure that Taxi drivers are given an input into the regulation of their industry.

SINN FÉIN PROPOSES

- a) That Taxi Regulation Directorate be directly answerable to a Dáil Committee
- b) That Bi annual reviews with all the stakeholders take place to address issues in the industry as they arise.

2. OVERVIEW SINCE DEREGULATION

Since deregulation in 2000 there has been an almost 7 fold increase in the number of taxi licences in operation across the country, a pace of growth that was significantly ahead of the increase in population. Recent figures suggest that there are 20,551 active taxi vehicle licences in the state. Of these there are 11,962 in the Dublin region. The increase across the whole country suggests that the dearth of supply that existed pre-regulation has been more than offset by the massive increase in licences granted over the period since then. The scale of this increase alone along with the very obvious problems of overcrowding on taxi ranks located across the country, suggests that the market is now super saturated.

3. APPEALS PROCESS

Currently the only appeals mechanism in place for the SPSV sector is via the courts in the event of refusal to grant a licence.

The SPSV sector requires an independent forum which could process taxi industry based appeals, similar to those available to other workers, such as The Labour Relations Commission and the Labour Court.

SINN FÉIN PROPOSES

- a) The introduction of a independent industry appeals process.

4. QUALITY CONTROL

There is cause for concern regarding the adequacy of the standards of quality demanded of public service vehicles across the industry, which serves to endorse a negative view of the industry as a whole. However it must be acknowledged that the means for ensuring a standardised quality of vehicle within the industry does exist with the NCT and the SGS test. What is required is standardised enforcement of these requirements.

A. DRIVER VETTING

Given that SPSV operators, in particular taxi and hackney operators are charged with looking after the public, (sometimes at their most vulnerable), they should therefore be vetted to the highest standards available.

At present applicants for an SPSV license are only vetted for their time spent in the state through checking the Garda Pulse system.

We believe that the current vetting process applied within the industry falls short, in that it does not account for time that applicants have spent living outside of the state.. With the increased freedom of movement of individuals within the European Economic Area and worker migration worldwide we believe that there is an urgent requirement to overhaul the vetting procedures for SPSV operators in general and the Taxi Industry in particular.

As public service providers it is vital that operators are able to provide a clear and continuous history of their movements without unexplained gaps in order to obtain and retain their licence. We would propose that a system similar to that used within the Private Security Industry and operated by the Private Security Authority would provide a more in-depth screening for SPSV Driver Licence applicants.

SINN FÉIN PROPOSES

- a) A new vetting system for SPSV's should be introduced along the lines of the Private Security Industry and should be applied retrospectively.
- b) Existing & prospective drivers would have to give detailed information on:
 - i) Their various places of residence since birth even if some of these were outside the jurisdiction
 - ii) Whether they have any criminal convictions in Ireland or elsewhere and the nature of same.
- c) We would also propose a six month amnesty period at the introductory stage of the revised vetting standards during which drivers may avail of a refund of the licence fee less administration costs. This would reduce the amount of transferable licences in the marketplace.

The first step to providing the professional service envisioned by both those who regulate the industry and industry stakeholders is to apply the most comprehensive vetting standards available to industry participants, thus ensuring the greatest degree of public trust.

B. LICENSING SYSTEM

The transferability of all licences should be revoked; however in conjunction with the revised vetting standards a 6 month amnesty period prior to full non-transferability must be made available to those wishing to exit the industry. During this period remaining transferable licences may be returned to the licensing authority for a refund less administration costs.

At present the cost of an SPSV vehicle licence is set at €6,300.00 for a standard licence and €125.00 for a wheelchair accessible licence. This does not provide an adequate barrier to those who have no intention of providing a quality service on a long term basis. The price must be set to adequately ensure that cost of entry to the industry attracts only those who wish to provide a service of the highest quality. A review of entry costs may only be undertaken once all licences become non-transferable.

Previously an applicant for an SPSV drivers licence was required to sign a declaration stating that the applicant would be available for a minimum number of hours per week upon grant of a licence. This requirement was subsequently removed from the application process, though existing legislation permits the reintroduction of such a requirement.

The Taxi Regulation Act 2003, section 34 6(c) puts in place the facility for the “Commissioner, after consultation with the Garda Commissioner and the Council (may) make regulations for the purpose of specifying conditions and requirements for drivers of small public service vehicles in respect ofavailability for work and scheduling of persons as drivers.” The definition of the subject matter as “drivers” rather than employers or employees, leaves open the application of future regulations to the self employed and those in employment as drivers.

SINN FÉIN PROPOSES

- a) That a revised licensing system be introduced.
- b) Reintroduce the requirement that drivers are available for a minimum number of hours per week, current legislation gives the Directorate the power to do this.
- c) Licenses should be non transferable and therefore the licence would be specific to the taxi driver.
- d) An Amnesty period of six months should be allowed so drivers can sell their licence back to the Taxi Regulation Directorate after which the Licence would become non- transferable.
- e) Upon full non-transferability the license be priced at a level sufficient to attract in those who wish to carry on a full time business as a taxi driver

5. REGISTER OF LICENCE HOLDERS

Currently a register of licence holders is maintained by the Taxi Regulation Directorate. Access to the information contained in the register including the name and address of the licence holder may be obtained by any member of the public without reason upon payment of a fee of €25.00. This poses certain security risks to licence holders and their families.

SINN FÉIN PROPOSES

- a) That access to the information contained in any register held by the Taxi Regulation Directorate be restricted for use by the Directorate, An Garda Síochána, Revenue Commissioners, the Department of Social Welfare and other state agencies specified by law.

6. WHEELCHAIR ACCESSIBLE TAXIS

The Action Plan proposed by the Taxi Regulator in 2010 proposed that from June 8th 2010 all new SPSV licenses issued will have to be for wheelchair accessible vehicles.

At present there are just 1,447 wheelchair taxis out of 20,551 active taxi vehicle licenses according to the Regulator. Concerns have also been raised about the state of the current wheelchair accessible fleet especially in terms of their ramp and entry/exit facilities. However the cost of buying a wheelchair accessible vehicle is €40,000 plus and in the current economic circumstances it is highly unlikely that this move alone will actually encourage independent owner drivers to buy a wheelchair accessible vehicle.

SINN FÉIN PROPOSES

- a) Rental vehicles should be wheelchair accessible Taxi's only. (In conjunction with the existing wheelchair accessible fleet this would significantly increase the number of WATs in service)

7. THE NINE YEAR RULE

The 9 Year Vehicle regulation needs to be reviewed. In the current economic climate financial institutions and banks now view taxi drivers as "high risk" and will not extend credit facilities to them for the purchase of new vehicles. This particularly affects drivers with older but high-quality and spacious vehicles who may be forced to approach sub-prime or other unscrupulous financial lenders.

SINN FÉIN PROPOSES

- a) A review to be carried out of the implementation of the nine year rule and propose phased implementation of the nine year rule employing more stringent NCT & SGS Suitability testing for vehicles nine years and older to ensure a minimum standard.
- b) Vehicles currently nine years and older having passed a stringent NCT & Suitability Test may only be operated as a taxi by the current owner for the life of the vehicle. Subsequent vehicles must meet Taxi Regulation Directorate criteria for vehicle standards.
- c) Vehicles nine years and older may not be sold, leased or rented as part of a complete taxi package.

If implemented the above points over a phased period coupled with natural wastage would go a long way towards eliminating vehicles in excess of nine years old from the fleet. Fulltime operators would not be forced into excessive levels of debt or worse still forced off the road and into the ranks of the unemployed.

8. THE RENTAL MARKET AND ANCILLARY SERVICE PROVIDERS

A register of owners of vehicles intended for the rental market should be introduced and maintained by the Taxi Regulation Directorate and specific licensing introduced for this sector of the industry.

The introduction of a log book for use by owners of vehicles, which are intended for the rental market, would go a long way to minimising the opportunities available to those who wish to circumvent the legal requirements in place for individuals in receipt of income through self-employment. The information contained within the logbook would include sequential records of each rentees name, address, PPS No: SPSV Driver Licence No: and tax clearance information. In addition it would include the make, model and registration of the vehicle. The vehicle licence no: and mileage at the start of the rental agreement would also be included and all of the above would be forwarded to the Taxi Regulation Directorate and The Revenue Commissioners. Upon termination of the rental agreement the mileage at the end of the of the rental period would be recorded in addition to Gardai verified periods if the vehicle is off road both during and between rents.

The provision of ancillary services to the SPSV sector such as meter installation, roof signs, receipt printers etc is currently totally unregulated. We propose that these service providers be licensed and a register of same be held and maintained by the Taxi Regulation Directorate.

SINN FÉIN PROPOSES

- a) The introduction of register of owners of vehicles intended for the rental market to be maintained by the Taxi regulation directorate.
- b) The Introduction of a log book for rental taxis to be forwarded to the Revenue Commissioners and the Taxi Regulation Directorate.
- c) The introduction of licensing and a register of those who provide ancillary services to SPSV industry.