

Regulatory Consultation Report

Public Consultation on Proposed
Small Public Service Vehicle

(Contingency Measure – Vehicle Supply)
(Maximum Permissible Age) Regulations



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1 Introduction

The National Transport Authority (NTA) is the transport authority for the Greater Dublin Area and the public transport licensing agency for Ireland.

NTA is responsible for regulation of the small public service vehicle (SPSV) industry in Ireland. As at 31 October 2022, the Small Public Service Vehicle (SPSV) fleet comprised 21,523 taxis, hackneys and limousines in active and inactive licence status.

As part of NTA's regulatory function, and in accordance with Section 20 of the Taxi Regulation Acts 2013 & 2016, NTA may make regulations in respect of the type and age of a vehicle which may be used as an SPSV.

Regulation 31 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 specifies the "maximum permissible age" limit for a vehicle to operate as an SPSV, i.e. the final operation date of each individual taxi and hackney in the SPSV fleet. This is separate to the small public service vehicle licence, which can have any single suitable vehicle under the maximum permissible age associated with it.

2 Background

2.1 Pre-COVID Law on Maximum Permissible Age

NTA is responsible for regulation of the small public service vehicle (SPSV) industry in Ireland. As part of this regulatory function, and in accordance with Section 20, *Small Public Service Vehicle Regulations*, Taxi Regulation Act 2013, NTA may make regulations in relation to the maximum permissible age at which vehicles can be licensed as SPSVs before they must exit the fleet.

"Small public service vehicle regulations

20. (1) The Authority may make regulations, to be known in this Act as small public service vehicle regulations ("SPSV regulations") in relation to the following:

[...]

(b) the vehicle standards to be complied with regarding the roadworthiness and suitability of a small public service vehicle, including standards relating to the following:

[...]

(ii) the type and age of a vehicle which may be used as a small public service vehicle;”

Under this NTA made Regulation 31, *Maximum permissible age requirements*, Taxi Regulation (Small Public Service Vehicle) Regulations 2015.

“Maximum permissible age requirements

31. (1) Subject to paragraphs (2) and (3), the maximum permissible age of a—

(a) standard taxi, standard hackney or local area hackney is ten years from the date of first registration of the vehicle, and

(b) wheelchair accessible taxi or wheelchair accessible hackney is fifteen years from the date of first registration of the vehicle.

(2) Where a vehicle is associated with a standard taxi licence or standard hackney licence first granted before 1 January 2009 and was associated with such licence on 1 January 2013, the maximum permissible age of such vehicle is fifteen years from the date of first registration of the vehicle.

(3) This Regulation does not apply to—

(a) limousines, or

(b) a wheelchair accessible taxi or wheelchair accessible hackney that is associated with the small public service vehicle licence on 1 April 2014.”

The legislative intention behind Regulation 31, *Maximum permissible age*, of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 was to increase vehicle standards and quality within the national taxi and hackney fleet following a review of all taxi regulation by the State and interested parties and the subsequent Taxi Regulation Review Report published in December 2011. The limousine licence category is exempt from this Regulation given that such vehicles must be *“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”* and also have a much lower mileage than other SPSVs.

In accordance with Regulation 31 where a standard taxi or hackney vehicle licence was first granted before 1 January 2009 and a vehicle was associated with that licence on 1 January 2013, that vehicle

can be licensed up to the 15th anniversary of the date of its first registration. In all other cases vehicle standard taxi or hackney can be licensed up to the 10th anniversary of the date of its first registration.

For a wheelchair accessible vehicle associated with a licence on 1 April 2014, there is no maximum age limit. For all other wheelchair accessible taxis and wheelchair accessible hackneys the maximum age limit is 15 years from the date of first registration of the vehicle.

The age of the vehicle is calculated from the exact date on which it was first registered (day, month and year).

2.2 COVID Emergency Measures relating to Maximum Permissible Age

Following statutory public consultations in 2020 & 2021, NTA enacted emergency measures to extend the maximum permissible age of taxis and hackneys in response to the enduring adverse consequences of the COVID pandemic on the SPSV industry.

The consequence of these Regulations was that all taxis and hackneys, with a final operation date during the period 13 March 2020 to 31 December 2022, had their maximum permissible age extended to the same day and month of their original maximum permissible age but in 2023. Thus, no taxi or hackney in the fleet would reach its maximum permissible age until 2023, with a staggered replacement requirement throughout the year.

It is important to note that not all SPSV licence holders were expected to or did avail of the emergency Covid-19 Regulations. As can be seen in the table below, only 28% of drivers eligible for the 36 month emergency measure took it up; with the figure at 44% and 56% for the 24 month and most recent 12 month emergency measures respectively. The substantial electric vehicle and wheelchair accessible vehicle grants are of great assistance to operators in this regard. However, of particular relevance here is that vehicle unavailability, which came into play over the last year, has a distinct role in the retention of older vehicles now.

3 Status following Regulation

Status as at 31 October 2022	36 month MPA Extension		24 month MPA Extension		12 month MPA Extension		Availed of Regulatory Benefit
Replaced the vehicle on the licence	445	58%	730	41%	558	27%	No
- Licence Current	427		724		556		
- Licence inactive	18		6		2		
Entered Inactive Status - up to 24 months	0	0%	120	7%	206	10%	
Permitted licence to go dead	106	14%	174	10%	154	8%	Yes
Renewed licence with same vehicle	209	27%	752	42%	1,117	55%	
- Licence Current	168		675		1,089		
- Licence inactive	41		77		28		
Maximum Permissible Age not reached	3	0%	7	0.39%	1	0.05%	
Total	763	100%	1,783	100%	2,036	100%	

4 Proposal

Recent climate and geopolitical challenges, in particular, have made it unfeasible for end of life SPSVs to be sourced for replacement purposes throughout 2023.

The factors facing licence holders are creating a perfect storm of constrained vehicle supply. These include:

- An unpredicted continuation of the global shortage of semiconductor chips and palladium:
 - Russia and Ukraine are major producers of key raw materials used in semiconductor manufacturing. Pre March 2022, Ukraine produced 70-80% of the global supply of neon, and Russia produced 35-45% of world's palladium supply. The palladium shortage is key as it is essential for the production of catalytic converters;
 - 63% of the global supply of semiconductors were manufactured in Taiwan in 2019. Now, 92% of the worlds most advanced semiconductors are now manufactured by TSMC-Taiwan Semiconductor Manufacturing Company. The geopolitical unrest there since August is further impacting global semiconductor supply in the short term, while making the recovery of the current shortages uncertain in the medium to long term;
- Energy rationing in Europe:
 - Russia's indefinite suspension of the Nord Stream Gas supply (Russia's largest gas pipeline to Europe, supplying Germany with 55% of their gas) on 05 September and its indefinite closure after a number of leaks were found in it and a parallel pipeline, Nord Stream 2 on 26 September, have resulted in energy rationing in Europe

(particularly in auto manufacturing Germany). Residential use will be prioritised over heavy industry, further depressing vehicle production and increasing overall costs;

- Logistics:
 - The August and September continuing drought has left the water level of parts of the Rhine and the Danube too low for ships to pass, causing further significant disruption to supply chains, in particular the transport of autoparts, oil and coal. Whilst both are now passable, the backlog, losses and consequences remain substantial;
- Covid-19:
 - the Chinese lockdown policy continued to impact the supply of raw materials and components in August and its policymakers advise that Covid lockdowns will remain;
- Supply to Ireland:
 - as Europe's largest right-hand drive car market for auto-manufacturers, the UK is more attractive for new car sales (with lower taxation and stronger sterling) the shortage of new cars in the Irish market (and very significant lead times) creates a shortage in internal used car supply;
 - the demand for used cars cannot be met, resulting in higher prices;
 - a much reduced new and used car supply post Brexit as UK imports now attract higher taxation (customs duty, VRT, VAT); and
 - the pent up demand for new premium vehicles will be serviced by auto-manufacturers before the demand for mass produced standard vehicles.

A pragmatic response is required to control the impacts of matters outside of the State's control. Resultantly, NTA is considering making a temporary exceptional contingency provision in relation to the maximum permissible vehicle age limits of vehicles due to reach their end of life before 2025. The proposal is to extend the maximum permissible age for taxis and hackneys such that no current vehicle licence holder is forced out of the industry on the basis of age because a replacement vehicle cannot be purchased in the current exceptional geopolitical, climate challenge and restricted supply environments.

Recognising the current restricted supply environments, as a result of the continued and emerging exceptional geopolitical, Covid lockdown and climate challenge circumstances, NTA proposes the following:

1. enactment of the Small Public Service Vehicle (Contingency Measure – Vehicle Supply) (Maximum Permissible Age) Regulations 2022 to permit SPSVs with a current final operation

date in 2023 and 2024 to operate for a period beyond the maximum permissible age set out in Regulation 31 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (as may be amended);

2. phasing out these temporary exceptional contingency Regulations from 2025 for the oldest extended life vehicles (15 and 20 years) to ensure an easier transition back to those appropriate Regulation 31 SPSV age limits; and
3. a review of the suitability of the exceptional contingency Regulations at the end of 2023.

The proposed Small Public Service Vehicle (Contingency Measure – Vehicle Supply) (Maximum Permissible Age) Regulations will be a temporary exceptional contingency provision in direct response to the continuing and unresolved state of ongoing vehicle supply shortages in the interests of supporting an industry to continue to provide a public transport service.

From 2025 onwards, Regulation 31 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (as may be amended) and the maximum permissible ages it sets out (colloquially the 10 year rule) will be phased back in.

5 Consultation Overview

5.1 Online Submission Form

On 19 September 2022, NTA published the proposed Small Public Service Vehicle (Contingency Measure – Vehicle Supply) (Maximum Permissible Age) Regulations, together with an Information Note on the proposal, on both the NTA (industry) and Transport for Ireland (public facing) websites. Also on that day, a text message was issued to 19,056 licence holders for whom we have mobile telephone numbers, and an email to 14,182 SPSV licence holders and stakeholders notifying them of the public consultation.

Representations on proposed Small Public Service Vehicle (Contingency Measure – Vehicle Supply) (Maximum Permissible Age) Regulations were invited from any interested parties. The period of the consultation was 19 September 2022 to 12 October 2022 inclusive. NTA consulted directly with the Advisory Committee on SPSVs and An Garda Síochána, inviting submissions to the consultation.

A total of 1,940 submissions (2 of which were duplicate submissions) were received during the consultation process. All submissions received have been referenced in this report.

With the exception of one submission received by post, all submissions were received via an online CiviQ survey platform published by NTA on its website. The online survey contained the following fields:

- Data Privacy and Freedom of Information Statements (*agreement required to submit*)
- Your Interest
- Full Name
- Email Address
- Opinion on proposal
 - Agree
 - Disagree
 - Option to provide additional commentary if disagreeing with proposal

Online Submission Form - Layout

Your Details



Data Privacy Statement

Please indicate that you agree with the [NTA Public Consultation Privacy Statement](#) and [CiviQ Consultation Statement of Privacy](#). If you require further information please contact privacy@nationaltransport.ie.

Freedom of Information

I understand that NTA is subject to the provisions of the Freedom of Information Act 2014 and, therefore, must consider any request for information made under that Act. Submissions received to the consultations will be published online.

Yes

Please indicate your interest from the below *

- I am an SPSV licence holder
- I am an SPSV industry representative
- I am a member of the public (non-industry member)
- I am a member of a non-SPSV representative group/organisation (please specify)

Please Specify *

Your View on the Proposal

Please state whether you agree or disagree with the proposed Small Public Service Vehicle (Contingency Measure - Vehicle Supply) (Maximum Permissible Age) Regulations *

- I agree with the proposal
- I disagree with the proposal

Please specify your reason(s) for disagreeing with the proposal

Limited to 300 characters. Only feedback related to the proposal will be referenced in the public consultation report.

6 Submissions

Following the cleansing of two duplicate submissions, 1,938 responses were received to the public consultation on the proposed Small Public Service Vehicle (Contingency Measure – Vehicle Supply) (Maximum Permissible Age) Regulations.

6.1 Overall

The vast majority of respondents (94%) agreed with the proposal and a small minority (6%) disagreed.

Opinion	Number of Respondents	% of Respondents
Agree	1829	94%
Disagree	109	6%
Total	1.938	100%

6.2 Overview by Interest

The table below provides an overview of the opinions broken down by interest of the respondent.

Opinion and Interest	Number of Respondents
I agree with the proposal	1.829
I am a member of a non-SPSV representative group/organisation	6
I am a member of the public (non-industry member)	238
I am an SPSV industry representative	21
I am an SPSV licence holder	1.564
I disagree with the proposal	109
I am a member of a non-SPSV representative group/organisation	1
I am a member of the public (non-industry member)	33
I am an SPSV industry representative	1
I am an SPSV licence holder	74
Grand Total	1.938

6.3 Key Observations

Of the 109 who disagreed with the proposal, 77 provided commentary in Section 7 below. Key observations or themes relevant to the topic at hand seen within the 71 responses (3.6% of total respondents) “disagree” commentaries included:

- A sizeable portion of respondents stated that customers had an expectation to travel in a vehicle which was modern and of a high standard; or that the quality of the fleet as a whole would be diminished by the proposal.
- Some respondents cited concerns in relation to the safety of ageing vehicles and the environmental impact of allowing older vehicles to continue to operate in the SPSV industry.
- A sizeable portion of SPSV industry members responded advising that age rules should be removed altogether, with others calling for the maximum permissible age to be increased to 12, 13 or 15 years; or that the proposed maximum extension should apply to the entire fleet.

It should be noted that 12 of the 71 respondents provided commentary that was either unclear or did not relate to the public consultation.

7 Appendix A – Disagree Submissions with Commentary

Disagree Commentary
All vehicles should be granted an extension of at least 2 yrs possibly 3 , 2 yrs for covid and another year to help operators drivers get back on there feet in these challenging times
All cars that were licensed when covid started shoud get 2 year ext regardless of age , and possibly an extra one due to shortage of cars the Market where it is , The war having financial impact too , so 3 yrs for now and possibly 12 yrs for future as cars are so much better now also all cars need e
Its unacceptable to have old cars operating and polluting the air after a price increse. The fare paying publick deserve better. All old combustion engines should be removed from the fleet.
Because the current situation we are in is not the right time
I think the lifetime of a car should be 15 years due to the pandemic and cost of living crisis and people not been able to get financial support there is also low stock in eletric cars. I also think 10 years is too short and people are been forced to get rid of good cars
This proposal will lead to a fleet of old and unreliable rubbish on the roads. There are already to many over the hill cars being used as taxi's and this would increase their lifespan.
10 years is old enough when customers are paying a lot of money for this service
Creates uncertainty in the business, nobody will invest if the rules keep changing to allow old cars to stay on ranks
As COVID 19 has hit 2011& 2012 SPSV DRIVERS same it has effected 2013/2014 vehicles too it should be given extra two years as granted to 2011/12 they deserves the same thanks
Taxi income has gone up considerably with fare increases and shortage of drivers has meant they have no downtime as it is so busy day and night
Because we're charged enough for a taxi and should expect reliable and comfortable transport
First very expensive to keep up with vehicle age rule and 10 year old cars are still every year nctd and drivable for another few year with yearly valid suitability inspection 2013 camry Mercedes audi prius are alot better than alot of newer cars out there and they are safe with valid yearly nct
Too restrictive.
Because its only the big single license holders who's giving out bobo motors ebbs all the renters with multiple licenses l'd to change a perfectly good car and get into 23000 debt will the nta renborst my money they've use up the eltric grant money all ready now they want to let there bangers still
treat every driver equal none of this messing extend limit if cars to 12 or 13 years for allll would be fair for everyone would bring people back in to the industry as would give people a breather to change car
We have all paid for new vehicles and keep them in show room condition. Is not fair on public getting into less standard vehicles that are not kept up to mechanical repair. Noisy and smoky
Some small vehicles are well maintained and there is no need for them to be replaced
Far to costly to replace a commercial vehicle that has plenty of life left in its engine
A more realistic apporach would be to increase the age limit for all nctd vehicles to at least 13 years old permanently. As long as vehicles are roadworthy well no discrimination should be made towards the use of any vehicle

The increase in age limit should be extended across the entire fleet as opposed to end of life vehicles only.
Standards must be maintained!! Got the increase!! Work the required hours and you'll afford the car
Cars too expensive to replace when the work is only starting to come back
I also drive special needs children in my taxi and have always changed my vehicle every 4 to 5 years. As to keep it up to date with safety rules. The people who have just kept their vehicles this long never intended to change them so why should they be given the chance to keep them longer.
Another expense putting ordinary workers already struggling out of business
I had just changed my car because of age requirements when the first extension was applied and therefore I have lost out big time. My view is that all cars should have the maximum age increased to 12 years. This will bring relief to all owners going forward.
Because Covid took me off the road for two years and if my vehicle is certified as roadworthy I see no reason why I should have to replace it.
I feel that a one year extension should be granted across the board to all Spsvs, I'm in a situation where I had a 2011 vehicle due to expire in 2021. I was informed by NTA, that there would be no extension to my vehicle age limit, I purchased a 2015 vehicle, which will expire in 2025,
We need better cars.
A lot of the cars need to be taken off the road as they are not safe
Most of them aren't road worthy, they can get cars easily I know they have to pay a bit extra because of inflation. Every one should respect the law
They are bad enough at 10 years old no older
If the car passes the NCT and the car is working perfect. it should be ok
there is enough work out there for all drivers therefore you should be able to keep up dated your vehicles the standard should be kept as high as possible for the public
All vehicles should be Euro5 emissions, we need to set excellent standard of vehicles with modern fleet of taxis greeting tourists to Ireland
Once any vehicle passes a NCT/ Doe they should be allowed on our roads to do what they please
Vehicles can still be purchased on the used car market to be used as SPSV, completely unfair terms to drivers who have upgraded their vehicles as a substantial cost to the operator.
it should be extended to 15 years for all current taxis I spend 5 years paying for a second-hand 5 year old car my car will be ten years old in 2026 it's not fair that those of us currently should miss out on an extension
Unfair to taxi drivers who have to try find money to buy unnecessary new vehicles when times are hard and tough enough.
Car is too expensive to buy, please make 15 years at least
I have changed my vehicle a year before maximum age date and I had to pay a loan through the pandemic when others could work on their old cars, now after your proposal my vehicle age will be max and I will have to change it again so change age limit to 15 years for those who changed before pandemic
Taxi drivers have not been given enough notice about this and a car that is not tested regularly at 10 years old is perfectly road worthy and therefore worthy of carrying passengers

If a car passes the nct and is in good condition it should be allowed to continue work that's what these tests are for road worthiness
We all had ample time to make arrangements to change our cars, I had a 2011 and changed to a 2016 which cost me finance of 15000 euro as of 9 year rule where older cars had lots of time to change there's, the older cars pre 2010 on the road as spsv have no finance or owe money on there cars at prese
My car is perfect condition and has done hardly any work since covid.
A 5 year plan needs to be drawn up for the taxi industry. No age limit should be introduced for the next 5 yrs. A lot of old licences needs to be reintroduced back into the industry & would allow everyone transition to energy efficient cars. Deregulation worked well for industry reregulation did not
Not enough age limits on cars should go on until 2026
It will effect spsv standards as due to quality of old vehicles
I was made by a car in 2021 before any proposals were made and rather than get my extension im now in debt, all cars should be 15 years as most are newer cars now, saloon car operators are being unfairly targeted
if the car is in good condition at age of 10, why should i change for another one? if people talking about protecting the enviroment which one is the better? keep up the car in good condition or living in the consumer society
Too many old taxis on the road
There always car out there in the Irish market for driver upgrades and the covid lockdown is already finish more than six months and the businesses are extremely busy which even better than before the covid so i dont see there why is an issue for drivers to upgrade their own vehicles
5 years is still new enough
To many drivers not looking after their cars and also had 10 years to save for new car or get loan for new car
W#hat about the driver's who have changed their vehicles without help from the government. Changing the rule is unfair on them. I purchased a new car for €31500 and received no help from the government so my vote is to NOT change
Vast majority have made provision to abode by the existing rules - so should everyone else.
Older vehicles are less fuel efficient and leaving so on the roads will further impact the environment.
There are plenty of second hand cars available to buy, it doesn't have to be brand new. My car is due for renewal in 3 years time (it still looks new) will you extend my car for another 2 years to 12 years!!!
ALL taxi operators endured the same trading conditions during the disrupted periods. Any life time extensions should be applied equally to the ENTIRE taxi fleet.
How can people afford to have their own taxi if this is the case. Be less taxis and more randomers taxian without a licence.
hi all the taxi business is really good right now and has been since early 2021 no arguments there i think it drivers dont want the expense of a new car no fair on others drivers who have changed
Once Taxis have up to date service and NCT, I feel this could be extended to 15 years.
They can be over 10 years old and still be in exelant condition
I don't think you need to change the what's in place

I believe that vehicle that is too old will create a negative impression for the customer. Customers will like to driven in a comfortable and clean vehicle. I listen to their complimentary opinion each time a customer gets into my taxi and that makes me feel good.

I think it's a disgrace to ask certain business people to fork out so much money when a doe is going enough

Would be unfair for only a small number Olof the industry to benefit from these proposals, have a general extension of all spsv till 13,14 , 15 years of age.

If the vehicle is Road worthy, then why should it be off the road regardless of how old a vehicle is?

No good to me as I was refused an extension on my 2013 car and had to borrow to buy a 2016 model ...I'm in debt because of a few days over limit for extension ...a joke is what the nta is

If it is deemed fit by the rsa in the annual test is that not enough

All vehicles should get 2 extra year's.

Some of the vehicles are too old and the owners and drivers have had loads of time to upgrade from 06-07 and upwards this question of age of the car has been going on for years and this is only another reason or excuse it to change

All vehicles should be subject to a two year maximum permissible age limit extension as all vehicles either did not operate or operated through a period of significantly suppressed demand during the COVID '19 pandemic.

A lot of cars over 10 years old once passes the nct and suitability are perfectly fine for the road. If a recession comes it'll be tough to pay loans on new cars

This is an unfair advantage for those whose vehicle became 10 years old this year. I renewed vehicles over the last few years at considerable cost with no mention of compensation for those unnecessary changes. Also there is enough new vehicles.

We need more taxis not less

Public service vehicle should be renewed after 10 years, that will keep the safety and comfortable feeling for the customers

People should be allowed work no matter the age

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