



Reintroduction of the Taxi Driving Test and Periodic Training for Taxi Driving Licence Holders

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GLOSSARY

The table below outlines some abbreviations and technical terms used within this document.

Abbreviation	Meaning / Definition
DVTA	Driver and Vehicle Testing Agency
DSA	Driving Standards Agency
HP	Hazard Perception
MCQ	Multiple Choice Questions
Category A licences	License for motorcycle riders
Category B licences	License for car drivers
Category C licences	License for lorry drivers
Category D licences	Licence for bus or coach drivers
Taxi Licence	Taxi Drivers' Licence

1 Chapter 1 – Background

1.1 Introduction

This consultation paper seeks your views on plans to re-introduce a Taxi Driving Test in Northern Ireland, for those wishing to drive a Taxi for Hire or Reward anywhere within Northern Ireland. It seeks views of proposals to introduce periodic retraining requirements for all taxi drivers throughout their career.

A recent consultation exercise undertaken by the Department of the Environment (DOE) in Northern Ireland revealed that the Taxi industry was in favour of the re-introduction of a Taxi Driving Test.

This document sets out possible options on the format this test could take and seeks your views on these. The advantages and disadvantages for each option are highlighted in the report.

1.2 Summary of Options

Each of the issues is discussed in more detail in **Chapter 2** of this consultation document. In summary you are invited to comment on various proposals relating to taxi driver testing including:

- a. those who should be affected by the new Taxi Driving Test;
- b. the format the test should take, including both the theory and practical elements;
- c. if there should be any renewal requirements for existing taxi drivers;
- d. how the provisions should apply to drivers of taxis accessible for wheelchair users; and
- e. how the provisions should apply to the drivers of American Stretched Limousines (ASLs).

1.3 Regulatory Impact Assessment

The Driver & Vehicle Testing Agency (DVTA) have completed a partial Regulatory Impact Assessment (RIA), which is included in **Chapter 3** of this report. This RIA outlines the possible impact of each of the

proposals on the industry, and will be developed in light of any comments received in response to this consultation paper.

1.4 Your invitation to comment

All comments and views on the options outlined are welcomed. Written responses can be submitted using the reply form included in **Appendix A** to this report, and should be sent to:

Amanda Herron
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Balmoral Road
BELFAST
BT12 6QL
Email: amanda.herron@doeni.gov.uk

Comments are also welcomed on the findings outlined in the RIA. If you disagree with any of the costing figures, please indicate how you feel their accuracy could be improved. The closing date for responses is **Friday 27 April 2007**.

A copy of this consultation document has been issued to the organisations listed in *Appendix B*. This list is not exhaustive, but is representative of the types of organisations this document has been sent to. Please advise DVTA using the details above if you think other organisations or individuals should be sent a copy.

The text of this paper is also available on DVTA's website at www.dvtani.gov.uk and the Government's online consultation website at www.consultni.gov.uk.

If you are replying on behalf of an organisation, it would be helpful if you would indicate whom you are representing, what the organisation does and what its aims are, how many individuals' views are included in the response, as well as what steps you have taken to gather those views.

This paper is produced in accordance with the principles of the *Practical Guidance of Equality Impact*¹. If you consider that this paper does not comply with the criteria, please write setting out the areas where you feel the paper diverts from the criteria to:

¹ <http://www.equalityni.org/uploads/pdf/PracticalGuidanceEQIA0205.pdf>

Brian Morrison
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1.5 Freedom of Information Act 2000 – Confidentiality of Consultations

The Agency will compile a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Agency can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of Information Act gives the public a right of access to any information held by a public authority, namely DVTA in this case. This right of access to information includes information provided in response to a consultation. The Agency cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- a. the Agency should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Agency's functions and it would not otherwise be provided;
- b. the Agency should not agree to hold information received from third parties "in confidence" which is not confidential in nature; and

- c. acceptance by the Agency of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see the website at www.informationcommissioner.gov.uk). For further information about this particular consultation please contact DVTA.

1.6 Application within the United Kingdom

This consultation seeks views on introducing a Taxi Driving Test to Northern Ireland. Such a test already exists in Great Britain and is operated by local councils. In most cases these are carried out by the Driving Standards Agency (DSA). Any proposals to alter arrangements in Great Britain would be the subject of separate consultation there.

2 Chapter 2 – Options and Proposals

During the summer of 2006 DVTA met with a number of representatives from the taxi industry including drivers and operators. These meetings have informed this consultation and DVTA's proposals on how the taxi drivers licensing system should operate in Northern Ireland are laid out below.

2.1 Who will be affected?

There are four options regarding the groups of people that could be affected by a new Taxi Driving Test.

2.1.1 Option 2.1.1 – New applicants only

The re-introduction of a Taxi Driving Test into Northern Ireland would affect all new applicants for a Taxi Drivers License. DVLNI estimate there are 2,000 new applications for Northern Ireland Taxi Licences annually. This option would mean those who hold an existing taxi licence prior to the implementation date of the new test would be given grandfather rights and would automatically, on receipt of application and fee, be issued with a taxi driving licence. This option would be in line with other licence categories where grandfather rights were also given on the introduction of the driving test.

2.1.2 Option 2.1.2 – New applicants and those drivers who did not complete the previous taxi driving test

Under this option all new applicants for a Taxi Licence in Northern Ireland would be required to complete a Taxi Driving Test, as with option 1. In addition, those drivers who did not complete the previous Taxi Driving Test offered by DVTA in the past would complete this new Taxi Driving Test when their taxi licence was due for renewal. It is estimated that less than 30% of taxi drivers have taken a previous taxi drivers test, based on a survey conducted in 2004.² However this percentage is likely to be higher, as there was a relatively small sample size used in this survey.

2.1.3 Option 2.1.3 – All Taxi Drivers

In addition to requiring new applicants to successfully complete a Taxi

¹ _____

² DOE Taxi Driver Survey, May 2004

Driving Test, this option would require all existing taxi drivers to do so once their licence was due for renewal. This would apply regardless of whether they had previously passed a Taxi Driving Test with DVTA in the past. There are currently almost 17,000 taxi drivers licensed in Northern Ireland who would be required to complete this test when their licence was next due for renewal. The current period of validity of a taxi licence is five years, and so this would mean around 3,400 taxi drivers requiring a Taxi Driving Test per year for five years, in addition to any new applicants.

2.1.4 Option 2.1.4 – All Taxi Licence Holders except current Active Drivers

This option would require all drivers to take a taxi driving test, except those who were able to demonstrate that they were currently using their license as a taxi driver in Northern Ireland. There are many taxi licences in issue that are not being used by the driver. For road safety reasons these drivers should perhaps be tested as new entrants to the industry should they wish to become active.

Active drivers could demonstrate this at the time of renewal by submitting one of a number of documents to the department. The department would then issue them with the licence that is going to be issued to successful test candidates, as evidence of their entitlement to drive a taxi in Northern Ireland. Suggestions for the types of documents that would be submitted are:

- records of valid insurance for the driver to drive a taxi;
- evidence of ownership of a plated vehicle; or
- a signed declaration by an operator accompanied by a company insurance document.

In order to avoid fraud, any operators submitting a declaration for a driver would be subject to random audit checks, where their premises would be visited and they would be required to show documentary evidence of that drivers work for the stated period. A penalty would exist should they be found to have signed the document falsely without having evidence of this driver's work. If a driver had not been active in a taxi career, perhaps they should lose their taxi licence and have to complete a DVTA test.

During consultations some stakeholders indicated a preference for option 2.1.4. Such a system would be very difficult and costly to operate effectively. It would create an onerous burden on the industry to produce

documents when renewing their licence which may be difficult for some owner-operator drivers to produce, and it would be very difficult to certify the authenticity of these. Any such system would therefore be open to fraud, and this would remove any benefit obtainable by adopting this option. For this reason DVTA recommend option 2.1.1.

Q1: Do you agree that option 2.1.1 is the most appropriate option for those to be affected by the introduction of the Taxi Driving Test?

2.2 Who will conduct the Test?

The Driver & Vehicle Testing Agency (DVTA) currently conduct all statutory driving tests within Northern Ireland for all categories A (motorcycle), B (private car), C (lorry) and D (bus or coach) vehicles. For this reason it is proposed that DVTA are best placed to conduct the Taxi Driving Test. If they were to delegate this test to an outside organisation, there would be a need for regular monitoring of the testing methods and standards to ensure they continued to comply with the legislation. By introducing a second organisation to the chain, the costs to the candidate of taking the test could be increased.

For this reason it is proposed that DVTA conduct the Taxi Driving Test throughout Northern Ireland. It would be available at all driving test centres located throughout the province; Armagh, Belfast, Ballymena, Coleraine, Cookstown, Craigavon, Downpatrick, Enniskillen, Lisburn, Larne, Londonderry, Newry, Newtownards and Omagh.

Q2: Do you agree that DVTA should conduct the Taxi Driving Test in Northern Ireland?

2.3 Format of the Test

DVTA feel it is important when introducing the taxi test that the test improves road safety and raises the standards within the industry.

As with all driving tests currently conducted by DVTA, it is envisaged the Taxi Driving Test would consist of both a theoretical test and a practical test.

2.3.1 Format of the Theory Test

The theoretical part of the test would consist of both hazard perception clips and multiple-choice questions, and candidates would be required to

pass both parts to progress to the practical driving test. This is currently the situation with theory tests for all licence categories currently required by legislation. These include motorcycle, lorry, car, bus and coach tests.

DVTA feel the theory test for a Taxi Driving Test should include some similar questions to those asked for a category B driving licence. Given the increased amount of driving undertaken by taxi drivers, and the additional responsibility they hold for the safety of passengers, it is proposed that the criteria should be made stricter for these drivers. There are three possible ways for this to take place:

- a. the pass criteria for the current category B test could be raised for those wishing to become taxi drivers;
- b. a separate theory test could be developed for Taxi Drivers to include questions on issues such as:
 - highway code;
 - communication skills and customer care;
 - responding to passengers with special needs;
 - awareness of disability and diversity
 - familiarity with the legal requirements regarding taxi operation;
 - dealing with accidents and emergencies and lost property; and
 - map reading skills and awareness of in-car navigation systems.
- c. a combination of both (a) and (b).

The pass criterion for a category B theory test is currently 30 correct answers out of 35 questions asked in the multiple-choice section of the test. For the hazard perception the level of marks achieved depends on how quickly the candidate recognises the moving hazard, and the pass mark is 44 out of a possible 75. This involves a total of 14 clips with 15 moving hazards. Under options (a) and (c) above these pass marks could be raised to ensure Taxi Drivers had a greater understanding of the requirements of the Highway Code and rules of the road. Under options (b) and (c) above, this test would be altered to include questions on those areas specifically relevant to taxi drivers.

In the coming years the number of questions in the theory test for all categories will be increased. DVTA propose to require those taking a

test for a vocational Taxi Driving Licence to have to complete a theory test of similar duration to those drivers in the LGV and PCV industry. This will ensure the tests for the three vocational industries remain aligned and comparable, and it will allow more of the issues specifically relating to taxi driving to be covered. Similar types of questions are addressed in the theory test for categories C and D relating to their industries.

The costs of options (a) and (b) are outlined in the RIA attached. Regardless of whichever option is chosen, DVTA will continue to apply the special provisions for those candidates taking a theory test that have special requirements.

Q3: DVTA recommend option (b) for the taxi drivers' theory test. Do you agree with this recommendation?

If option (b) or (c) were chosen DVTA would ensure that sufficient source material was made available to enable candidates to prepare fully to take the new taxi theory test.

The theory test would be conducted at one of the centres currently operating the theory test on behalf of DVTA, of which there are 6 throughout Northern Ireland. These are located in Ballymena, Belfast, Londonderry, Newry, Omagh and Portadown.

2.3.2 Format of the Practical Test

DVTA envisage this would also take a similar format to that currently in operation for a category B test. As with the theory test, DVTA see little value in asking drivers to complete a similar test to that which they have already completed to receive a private car driving licence, and so propose to increase the pass criteria for the practical test also. Currently in order to pass the practical test for category B a candidate must not receive any serious faults during the test, and less than 16 driving faults.

The practical test for an Approved Driving Instructor includes 1 hour on-road driving time, instead of a minimum of 30 minutes for private car tests. In addition candidates must have less than 6 driving faults in order to pass, and the examiner is looking for a more professional drive from candidates. A total of four manoeuvres are carried out during this test, a left hand reverse, a right hand reverse, a reverse park and a turn in the road.

The options for the taxi practical test include:

- (i) decreasing the maximum number of driving faults that can be received before the candidate fails the test; or
- (ii) setting the assessment criteria along similar lines to that of the driving test required to become an Approved Driving Instructor.

The option highlighted in (ii) above would involve a reduction in the number of driving faults that cause a candidate to fail, and candidates would be expected to demonstrate a more advanced driving ability to that which is accepted during a standard category B test. Option (i) would allow drivers to be assessed to the same criteria as private car drivers, but they would be permitted fewer minor driving errors to allow them to pass. DVTA propose option (ii) as there is little value in drivers repeating a car test.

Q4: Do you agree that the pass criteria for a Taxi Driver taking a practical test should be stricter than that for a private car driver?

Q5: Do you think the maximum number of driving faults should be reduced or that the assessment criteria should be similar to that for an Approved Driving Instructor (ADI)?

The practical driving test would also include a short element of show me/tell me questions, such as those currently asked during all practical driving tests conducted by DVTA. These questions ask the candidate technical questions about the vehicle, such as to demonstrate to the examiner how they would change the oil in their vehicle. It is envisaged these could also cover things such as customer care, legislation affecting the taxi industry in NI and passenger responsibilities.

It is proposed that part of the assessment of a candidate's driving should include passenger comfort. It is essential that passengers feel at ease when travelling in a taxi and not nervous or on edge with the driving style. This would not be left as a subjective decision on behalf of the examiner. In order to ensure a consistent approach across all tests, this could be assessed by evaluating the driver's use of light braking techniques, traffic approach, distances kept from other vehicles etc.

Q6: Do you agree that a taxi driver should be assessed on their ability to put the passenger at ease with their practical driving?

As well as day to day driving, candidates would be required to carry out various manoeuvres during the test. In addition to those tested in a category B test, DVTA would plan to include a right hand reverse around a corner as taxi drivers may be required to collect passengers from that side of the road. Candidates would also be asked to pull up at a safe and legal place for passengers to alight, and they would be assessed on their avoidance of obstacles such as lamp posts, double yellow lines etc.

Q7: Do you agree that a right hand reverse exercise should form part of the practical driving test for a taxi driver?

Q8: Do you consider that a taxi driver should be able to demonstrate the ability to select a suitable position for a passenger to alight?

Q9: Do you agree that the Taxi Driving Test should have both a theory element and a practical element?

2.3.3 Disability Discrimination Act

Given the legislative differences between driving a saloon type car as a taxi and driving an accessible taxi capable of carrying a passenger travelling in their wheelchair in terms of legal requirements, the general requirements of the Disability Discrimination Act (DDA) would be incorporated into the theory test for all taxi drivers. However those wishing to drive an accessible taxi would have to complete an additional wheelchair assessment test to demonstrate their ability to assist the passenger.

Q10: Do you agree with the proposal to assess drivers of accessible taxis to ensure they are able to assist the passenger?

Q11: Should existing taxi licence holders who drive wheelchair accessible vehicles be required to take this test upon licence renewal?

If a separate wheelchair assessment test for accessible vehicles was introduced into Northern Ireland, it could either be conducted by DVTA or by private sector approved assessors. If this were to be outsourced from DVTA, the test could become the final stage in a mandatory training course, where drivers are first taught how to deal with disabled passengers and then assessed on the learning undertaken during this course.

Q12: Do you think DVTA should conduct a wheelchair assessment test if introduced, and if not do you think it should be a stand alone test or form part of a training course?

It is important that disabled taxi drivers are not discriminated against by requiring them to be able to assist a wheelchair user when they themselves are unable to do this perhaps for medical reasons. For this reason they could be required to display an exemption sign on their vehicle, indicating that they are exempt from DDA requirements due to medical reasons.

2.4 Minimum Test Vehicle Requirements

DVTA would welcome views on what should be the minimum test vehicle requirements for a Taxi Driving Test. Given that most taxi drivers operate from saloon type vehicles, it would seem sensible to set minimum standards which would prevent drivers taking the test in vehicles which are too small to be realistically driven by them as taxis.

However it seems over-prescriptive to insist that drivers undertake their test in the vehicle they will be driving for Hire or Reward, unless this is an accessible taxi in which an accessibility test needs to be conducted.

DVTA proposed the minimum test vehicle standards for the practical driving test to be along the following lines:

A four-wheeled motor vehicle of no more than 3.5 tonnes capable of at least 100km/hr. The vehicle must be a saloon or estate type vehicle with a minimum engine size of 1600cc and a minimum length of 13'-0", and a minimum of four doors. It must be suitable to be licensed as a taxi under the DOE regulations for licensing of taxis. It should be fitted with front and rear seats, fully functional seat belts for the front and rear seats, an appropriate head restraint for the front passenger seat; and a suitable rear view mirror fitted for use by the examiner. A mirror fitted to the sun visor is not acceptable. (Vehicles fitted with electronically operated parking brakes are not acceptable for the purpose of the driving test.)

Q13: Do you agree with these proposals for the minimum test vehicle requirements for a Taxi Driving Test?

For those drivers wishing to take the “wheelchair assessment test”, an accessible taxi would be required, regardless of who would be delivering this test or assessment.

Q14: Do you agree that those drivers wishing to drive wheelchair assessable taxis should have their test conducted in an accessible vehicle?

2.5 Recording the Qualification

DVTA will provide successful candidates for the practical test and the accessibility test with certificates which can be submitted to DVLNI for licensing purposes.

2.6 Eligibility

Current Taxi Licensing requirements state that new applicants must be at least 18 years old and have held a full Driving Licence for category B for at least 12 months. In addition, drivers must be medically fit and be of satisfactory repute. All driving licence endorsements must be fully disclosed on application, along with any other previous convictions of the applicant. The Department then considers each application on its own merits.

The proposals stemming from the DOE Taxi Review consultation document issued in March 2005 suggest that only drivers who have held their category B driving licence for 3 or more years would be eligible to become taxi drivers. DVTA favour this approach, and do not recommend any additional changes.

2.7 Equivalence and Expired Licences

Currently the Driving Standards Agency (DSA) conducts a Taxi Driving Test in Great Britain on behalf of local councils, who then issue the taxi licence to the applicant. There is the potential in the future for taxi drivers from GB to apply to become licensed to drive taxis in Northern Ireland.

Given this potential, DVTA must consider if these drivers would then be exempt from taking the DVTA Taxi Driving Test. This would largely depend on the format of the test. Given that DVTA are proposing stricter pass criteria for their test compared with that conducted by DSA, and the fact that not all councils in Great Britain impose this test, it is proposed that drivers wishing to be licensed as Taxi Drivers in Northern Ireland

complete the DVTA test regardless of whether they have taken a DSA test in GB.

Q15: Do you agree that taxi drivers from GB should be required to take the DVTA Taxi Driving Test to obtain a Northern Ireland taxi license?

2.8 Compliance and Sanctions

Under the Road Traffic (NI) Order 1981, it is an offence to drive a taxi without a taxi driver's licence. The penalty for this offence on conviction is a fine not exceeding £2500, possible disqualification from holding an ordinary car driving licence (category B) and 3-6 penalty points. This could be commuted to a fixed penalty of 3 penalty points and a £60 fine. As is currently the case, drivers accumulating more than twelve penalty points within a three year period will lose their category B licence completely and be required to take their taxi test again. Similar sanctions would also apply when the draft Taxis (NI) Order 2006 becomes law and these could be taken into account when determining whether an applicant for a taxi driver's licence is a "fit and proper" person.

2.9 Period of Validity of a Taxi Driving Licence

There are a number of options regarding the renewal criteria for a taxi driving licence and how a driver would have this renewed.

2.9.1 Option 2.9.1 – Three yearly renewal

This option involves no change other than current changes being undertaken by DOE. This requires all drivers to renew their taxi licence every three years, in line with best practice guidance.³

2.9.2 Option 2.9.2 – Three-yearly renewal with retraining requirement

This would require drivers upon renewing their taxi driving licence every three years to have completed 21 hours training. This would have to have been completed before a driver would be able to receive a renewed licence. The training would not necessarily have to include on-the-road driving training, although this could form part of it. Things such as customer awareness training, health and safety training and training on legislation covering the taxi industry for example could all form part of

³ Taxi and Private Hire Vehicle Licensing: Best Practice Guidance which can be viewed at:
http://www.dft.gov.uk/stellent/groups/dft_localtrans/documents/pdf/dft_localtrans_pdf_613442.pdf

classroom based training that could contribute towards the renewal requirement. Some sections of the syllabus more important to the industry, such as customer care, legislation and disability awareness could be made mandatory. The 21 hours would not need to be completed all at once, but a driver could take a minimum of 7 hours at any one time, the equivalent of one day. They must have the 21 hours completed by the end of the three years, or their licence would not be renewed. All such training would need to be undertaken at an approved training centre previously approved by DVTA to carry out training.

If such an option were chosen this would place the Taxi Industry on an equal footing with the other vocational transport sectors; the lorry, bus and coach industries. These industries will be required to take the equivalent of one day retraining each year from 2008/2009. To require the taxi industry to do so as well would raise the level of professionalism associated with taxi driving to that which will become associated with driving lorries, buses or coaches.

2.9.3 Option 2.9.3 – Three yearly renewal with a retest

This would be similar to option 2.9.2, but instead of requiring drivers to complete retraining, they would take another Taxi Driving Test with DVTA to get their licence renewed. This re-test could be the same format as the original practical driving test the driver would have completed initially to obtain their licence, or could be a shorter form of this.

Options 2.9.2 and 2.9.3 would provide additional benefits to the industry through the improved public perception of the driving ability of taxi drivers. The public may view the industry as more professional, increasing their usage of the public service provided. In addition drivers would be inclined to join the industry and they would feel they were working in a career focused industry.

Training must be both industry specific and driver specific, providing the driver with the additional skills they need to do their job well and effectively. For this reason DVTA would propose to devise a broad syllabus of topics that could be covered during training. None of the topics would be mandatory and it would not be compulsory to cover all topics within each block of retraining, should option 2.9.2 be the preferred option. Some topics could include first aid awareness, child protection legislation or customer care courses.

If the preferred option above was option 2.9.2, training would only be carried out by approved training centres. This approval would be carried out by an external body, perhaps DVTA, and audited periodically. Within this format large taxi operators would be able to get in-house training courses accredited in order to limit their expense of driver retraining. Again this option on is par with that which will be introduced for lorry and bus drivers. In fact it may be possible to allow centres approved for the deliver of bus and lorry training to be able to carry out taxi training without requiring further approval. This would reduce any cost burden associated and reduce the cost of training courses for drivers.

Q16: Do you agree with DVTA's proposal to introduce option 2.9.2 in order to keep the Taxi Industry on par with the other vocational transport industries?

Q17: Do you agree that larger operators would be able to get in-house training courses approved?

If a driver's taxi driving licence expires prior to them having completed their periodic training, they would be unable to drive for hire and reward until they fully complete the three days training.

2.10 Limousine Drivers

The proposals outlined in this consultation document are without prejudice to any decisions taken on the licensing of American Stretched Limousine's (ASLs) and their drivers in the current DOE consultation and review.

The issue to address is if a standard Taxi Driving Test should allow a driver to drive a limousine, or if additional training should be compulsory for those driving ASLs in Northern Ireland. The differences between driving an ASL and a saloon type vehicle are clear, given the increased size and turning requirements for a limousine. It would therefore seem sensible to train the drivers in the type of vehicle they are proposing to drive to ensure they are able to do so safely.

2.10.1 Option 2.10.1: ASL drivers take their Taxi Driving Test in an ASL

This option involves ASL drivers completing their taxi driving test in and ASL typical of those driven throughout the Northern Ireland industry. However this could be seen as over burdensome as it would have

required such drivers to have obtained and offer of employment before they could get and ASL to use in the test. It would also mean the limousine would be out of commission during the test time. For these reasons this option has been rejected. In addition the ASL review undertaken by DOE has led to the front seat being removed from ASLs to allow eight seats to remain in the rear of the vehicle. Therefore there would be no suitable seat for a driving examiner during a practical driving test which would allow him to suitably assess the candidate.

2.10.2 Option 2.10.2: A mandatory training course

This would require limousine drivers to take a mandatory training course after they have taken their taxi test and before they begin working as an ASL driver. This course would be delivered by an approved training organisation, and would be of a standard format regardless of where the course was taken. Limousine companies would be able to run these courses themselves should they wish to do so, but would be subject to the same accreditation requirements as other training establishments.

2.10.3 Option 2.10.3: Off-road ASL module

The third option is to require ASL drivers to complete a separate module off-road which would include questions relating to the differences between driving a saloon type taxi and an ASL. The candidate would also be asked to complete manoeuvres in their vehicle at DVTA premises. Drivers wishing to take this test would first have to complete their taxi test and be a licensed taxi driver. This option would allow an ASL driver to be assessed in their vehicle purely in the areas where there are differences between that and driving a saloon type taxi. The examiner would supervise the manoeuvres from outside the vehicle and therefore the limousine would not be required to have a front seat beside the driver. This would allow the vehicle to continue to comply with the DOEs plans for the front seat to be removed from the vehicle to allow for eight seats to remain in the back.

Q18: DVTA recommend option 2.10.3 for licensing drivers of ASLs. Do you agree with this recommendation?

Q19: If option 2.10.2 were chosen, do you think that existing ASL drivers should have to complete the test upon licence renewal?

As additional criteria would be required for a limousine driver, it must be recorded differently on the card issued to taxi drivers for enforcement

reasons. It is envisaged those eligible to drive limousines would have this written on the card as an additional comment.

Q20: Do you agree that limousine drivers should carry a comment on their taxi driver card to indicate they are qualified to do so?

Drivers found driving a limousine without the appropriate documentation would be subject to the same sanctions as outlined above. It is proposed that a taxi driver without any additional comment that they may drive limousines would be subject to these penalties.

Q21: Do you agree that limousine drivers caught driving with a regular Taxi Driving Licence should be dealt with as outlined above?

3 Chapter 3 – Partial Regulatory Impact Assessment

3.1 Title of Regulations

The re-introduction of the Taxi Driving Test would lead to modifications being made to the Motor Vehicles (Driving Licence) Regulations 1996 (as amended).

This partial regulatory impact assessment (RIA) represents the Driver & Vehicle Testing Agency's (DVTA) estimation of the costs, including compliance costs, of implementing the provisions as this consultation document proposes they would operate.

This RIA will be revised using information provided by the taxi industry and other interested parties following the public consultation exercise.

3.2 Purpose and Intended Effect

3.2.1 Objective

The objective of re-introducing the Taxi Driving test is to improve road safety and enhance the professionalism of the industry. Customers will be able to have confidence that the drivers are trained to a higher standard of driving, and the industry should benefit as a result of this.

A recent consultation undertaken by the Department of the Environment (DOE) highlighted that the stakeholders are in favour of this reintroduction. DVTA are now consulting on the possible format for this test, and other surrounding issues.

The Government welcomes measures to improve road safety in an effective and efficient manner. The Government announced in its Road Safety Strategy 2002-2012 its intention to promote efficient passenger transport sectors that meet the needs of a modern society. The re-introduction of this test is seen as step towards achieving this.

3.2.2 Background and Risk Assessment

DVLNI estimate that there are currently 16,230 Taxi driving licences in issue in Northern Ireland. Approximately 2,000 new licences are issued annually throughout the province. This includes both public taxis and those for private hire. A survey carried out by the Department of the

Environment (DOE) in May 2004 indicated that approximately 38% of taxi licence holders were not using them to drive taxis for hire or reward. Of this number almost 83% hadn't worked as a Taxi Driver for at least one year.

The re-introduction of a Taxi Driving Test by DVTA should improve road safety and enhance the professionalism of the industry.

At present there is no regulation on the standard of driving a Taxi Driver must have reached before being able to drive for hire and reward. Provided that a person is at least 18 years of age and has held a category B driving licence for a minimum of one year, they may apply to become a taxi driver. They will also have to demonstrate they are medically fit to do so and of satisfactory repute.

DVTA feel there is a potential risk in that both the LGV and PCV vocational industries are required to complete additional testing, albeit they will drive larger vehicles. However taxi drivers have similar safety responsibilities for their passengers as those driving category D1 (minibuses) or category D (buses) vehicles. For road safety reasons it is therefore the opinion of DVTA that a Taxi Driving Test should be re-introduced.

3.3 Choices, Benefits and Costs

3.3.1 Option A – Do Nothing

This option involves no change to the current situation for a person wishing to become a Taxi Driver, and no test would be required. This would bring no road safety benefits to Northern Ireland. In addition it is against the results of the consultation held in March 2005 undertaken by DOE, which stated that the stakeholders were in favour of the re-introduction of a taxi driving test.

For this reason option one has been rejected.

3.3.2 Option B – Introduce a Taxi Driving Test

This involves introducing a Taxi Driving Test within Northern Ireland. There are a number of options with regard to how this test would operate. These are outlined in detail below.

3.3.2.1 *Those affected*

There are four options concerning those that would be affected by the introduction of a new Taxi Driving Test by DVTA.

- i. new Taxi Drivers only;
- ii. new Taxi Drivers and those drivers who have never completed a Taxi Test previously offered by DVTA;
- iii. all taxi-drivers; or
- iv. all inactive taxi drivers.

DVTA feel it would be over-burdensome to stipulate that those who had already completed a Taxi Driving Test with DVTA in the past should have to do so again and there would be severe resource implications associated with this. However there would be road safety benefits in requiring existing taxi drivers who had not completed any test previously to do so once their licence was due for renewal. In this way the reputation of the industry will be improved, as customers will be confident in the knowledge that all taxi drivers on the roads of Northern Ireland have been tested by DVTA.

There are approximately 2,000 new applications for taxi licenses annual in Northern Ireland, and approximately 17,000 licenses currently in issue. Of this number it is estimated that less than 30% have ever completed a Taxi Driving Test with DVTA in the past⁴. The costs to each person affected by the proposals are outlined in the later sections of this RIA. Clearly the more drivers affected the greater the overall cost to the industry of these proposals. It is worth noting however that no one driver would be affected more than another and it is likely they themselves would pay for the test rather than an operator to which they were affiliated. Most operators expect their drivers to hold the relevant licence before they begin work as a taxi driver.

DVTA would recommend option (i), because it is considered option (iv) would be too difficult to implement in such a way as to eliminate fraud. New drivers will not have these skills developed to the same extent, and for road safety reasons should be required to build these up before carrying passengers professionally.

¹ _____
⁴ DOE Taxi Driver Survey, May 2004

3.3.2.2 *Format of the Test*

It is sensible that the Taxi Driving Test be made up of both theory and practical tests, in the same way as the tests for other vocational licences such as LGV or PCV. Currently those applying to DVTA for any type of driving test in categories A, B, C or D must successfully complete a theory test prior to taking the practical element of the test. DVTA feel it would be essential that this trend is upheld and taxi drivers are required to do the same.

The theory test would contain similar questions as for a category B private car test, but it is envisaged the test would differ slightly in order to make it stricter than the test some taxi drivers will have already passed to receive their category B licence. The reason for this is that taxi drivers have an added responsibility to ensure the safety and comfort of their passengers, beyond that of a private car driver, as they are being paid for this service.

The options for increasing the theory test standard include increasing the pass criteria from that for a category B test for taxi drivers, and/or including additional questions for taxi drivers relating to their industry. This could be the inclusion of questions on customer care or legislation as it applies to taxis for example.

The costs of developing a new theory test that would apply to taxi drivers are in the region of £54k with annual costs of £32k thereafter. The cost of increasing the pass criteria for the category B test for these drivers is £46k for set up costs, with an annual running cost of £32k thereafter. DVTA recommend a new test, as it will allow taxi drivers to be examined more on the additional elements relating to taxi driving than on the elements of the highway code they may have already been tested on to obtain their category B licence. The costs associated with this would be built-in to the cost of theory tests provided to candidates. The theory test fee currently stands at £20.50 for all categories. DVTA imagine the cost of a taxi theory test would remain in line with the costs of the other categories of test, and costs would be recouped by increasing this fee as required.

In terms of the practical test, this again would be based on the format of the category B car test. It is envisaged this test would be more strict for taxi drivers, but no additional cost would be incurred by the driver were this to be the case. This is because the examiner would be applying the

stricter limits when reaching their decision on whether the candidate had passed, and no additional resources would need to be set up to do this.

The cost of an LGV or PCV practical test currently stands at £61 and that of private car is £42. It is envisaged that DVTA would charge whichever of these fees was most appropriate once the format of the test was decided. It is most likely this will tend towards £61, as a taxi test will be of similar duration to LGV and PCV vocational tests.

For drivers of taxis accessible to wheelchair users DVTA propose to introduce a separate assessment test similar to that is currently carried out by DSA as part of their testing for drivers of accessible taxis. The additional cost to a driver of taking this test could be approximately £25, based on a 30 minute test being required.

3.3.2.3 Minimum Test Vehicle Requirements

It is proposed to set these as follows:

A four-wheeled motor vehicle of no more than 3.5 tonnes capable of at least 100km/hr. The vehicle must be a saloon type vehicle with a minimum engine size of 1600cc and a minimum length of 13'-0", and a minimum of four doors. It must be suitable to be licensed as a taxi under the DOE regulations for licensing of taxis. It should be fitted with front and rear seats, fully functional seat belts for the front and rear seats, an appropriate head restraint for the front passenger seat; and a suitable rear view mirror fitted for use by the examiner. A mirror fitted to the sun visor is not acceptable. (Vehicles fitted with electronically operated parking brakes are not acceptable for the purpose of the driving test.)

This is unlikely to produce any additional cost to the industry, as it is expected that vehicles being used as taxis in Northern Ireland would comply with this without difficulty.

3.3.2.4 Eligibility

Current DOE proposals are to require drivers to have held a category B driving licence for three years before being eligible to become taxi drivers. DVTA agree with this proposal and suggest no further amendments to the eligibility criteria.

3.3.2.5 *Equivalence and Expired Licences*

It is proposed that drivers who are Taxi Drivers in GB, and who wanted to relocate to Northern Ireland would have to sit a DVTA Taxi Driving Test. This will mean that these drivers will have to bear the same costs as any Northern Ireland resident applying to become a Taxi Driver for the first time. They will be given no allowance for having a taxi licence in GB.

The reason for this proposal is that not all local councils in GB require potential taxi drivers to take a test with the Driving Standards Agency (DSA) prior to obtaining their taxi licence. In addition, DVTA are planning higher test criteria for these tests than that applied at present by DSA. Hence DVTA could not be confident that a taxi driver from GB would already be of equal standard to Northern Ireland drivers without first assessing them.

3.3.2.6 *Period of Validity*

There are three proposals for the renewal criteria for a Taxi Driving licence.

The first option involves no change to the system as is already being amended by DOE. Once the Taxi Licence is expired after its three year lifespan, the driver re-applies through the relevant department within DOE.

The second option allows for this same renewal period with a requirement for the driver to undergo 21 hours training within each three-year period in order to renew the licence. This would involve costs to the driver of attending courses for this duration, and the loss of wages for these hours. It is envisaged a course would cost around £150 per day, based on the approximate cost of other vocational courses for driving industries.

The third option also allows for three-yearly renewal with the driver being re-tested before he can renew his licence. This would cost the driver an additional £42-61 to sit the practical part of the driving test again, assuming the requirement was to complete a full test again. It is not necessary that a driver should take another theory test.

Given the potential benefits for road safety, and to align the taxi industry with other vocational driving industries, DVTA would recommend drivers

undertake retraining prior to renewal.

3.3.2.7 *Limousine Drivers*

The proposals allow for those wishing to driver an American Stretched Limousine (ASL) to take a separate test module after having passed their taxi driving test.

Additional costs would be incurred by ASL drivers compared with their counterparts driving saloon-type vehicles, as they would have to pay for the course or the test. The exact nature and duration of this would be determined depending on the option chosen.

An additional comment would be added to the driver's taxi card licence to indicate that they are qualified to drive ASLs. Taxi drivers are already issued with identification cards so no further expense would be required.

3.3.3 Environmental Benefits

The increased driving ability of Taxi Drivers should reduce road collisions, and reduce the number of injuries on Northern Ireland roads.

In addition improving the professionalism of the industry should encourage consumers increase their use of taxis as a means of transport, thus reducing the number of vehicles on the road an improving the air quality.

3.3.4 Economic Benefits

Lower collision rates, improved efficiency and a vocational standard should help to improve public confidence in vocational Taxi Drivers and help the economic growth of the sector.

3.3.5 Social Benefits

Drivers with the right knowledge, skills and behaviour and a professional attitude should lead to safer roads, with lower death rates and less distress for the families and communities affected.

The Road Safety Strategy supports education and training for drivers, both pre and post licence acquisition.

In addition drivers who have had to complete a form of testing may feel their industry is more career-orientated and become more motivated in their work. This brings with it social benefits for such individuals.

3.4 Equity and Fairness

Since these proposals will apply uniformly to all Taxi Drivers within Northern Ireland, DVTA believe there is no one minority group that would be adversely affected by these proposals. Nor would anyone living in a particular geographical location be at a disadvantage.

The formal consultation exercise will include all section 75 consultees registered with DOE, and this will highlight if there are any problems envisaged for any particular minority group.

3.5 Consultation with Small Business

The industry is populated with a majority of small to medium sized enterprises (SMEs). DVTA has given particular attention to the need to introduce these requirements in a way that does not discriminate against them.

3.6 Competition Assessment

The partial RIA for this policy change has identified one sector that will be affected: the Taxi industry. New drivers entering this industry are likely to incur costs associated with undertaking the Taxi Driving Test. It is likely the drivers themselves will bear these costs, as most companies prefer to hire drivers who have already obtained their taxi licence.

Depending on the options chosen for licence renewal, some existing drivers may also be affected. Operators, drivers and training providers are likely to incur costs associated with this retraining or retesting options, should these be chosen. These would involve wages for the employee and the cost of the retest/retraining should they agree to pay these.

3.7 Compliance and Sanctions

The PSNI and DVTA Taxi Enforcement team will carry out enforcement activities as they currently do for road traffic offences.

Under the Road Traffic (NI) Order 1981, it is an offence to drive a taxi without a taxi driver's licence. The penalty for this offence on conviction is a fine not exceeding £2500, possible disqualification from holding an ordinary car driving licence (category B) and 3-6 penalty points. This could be commuted to a fixed penalty of 3 penalty points and a £60 fine. As is currently the case, drivers accumulating more than twelve penalty points within a three year period will lose their category B licence completely and be required to take their taxi test again. Similar sanctions would also apply when the draft Taxis (NI) Order 2006 becomes law and these could be taken into account when determining whether an applicant for a taxi driver's licence is a "fit and proper" person.

3.8 Monitoring and Review

The Agency will arrange for the tests to be available for Taxi Driving. They will undertake to ensure the approval of training courses should this option be chosen.

The effectiveness of the introduction of this new test will be reviewed after an initial five year period of implementation.

3.9 Consultation

A wide range of bodies will be consulted formally about these proposals. These are listed in **Appendix B**.

3.10 Summary and Recommendation

The DVTA recommendation is to introduce the taxi driving test for all new taxi drivers, including a new taxi theory test and a practical driving test. A separate DDA test would be available for wheelchair accessible vehicles. DVTA recommend that all taxi drivers be required to take the equivalent of one day's training per year, and this must be up to date in order to renew their licence every three years.

DVTA recommend that drivers of American Stretched Limousines take a separate course, which would be a standard course of no more than one week delivered by a training organisation previously approved to do so.

Appendix A – Reply Form

Please Note: DVTA is unable to consider any views submitted anonymously. Please complete your name and address below.

Reply Form:

Name: Title: Mr /Mrs/Miss/Ms.

Organisation (if applicable).....

Address:.....

.....

.....Postcode:

Telephone number:

Email address:

Please tick the appropriate box.

If you need to use a separate sheet to complete your answer to any of the proposals, please ensure the sheet is cross referenced with the proposal number.

Q1: Do you agree that option 2.1.1 is the most appropriate option for those to be affected by the introduction of the Taxi Driving Test?	Yes	
	No	
Additional comments:		

Q2: Do you agree that DVTA should conduct the Taxi Driving Test in Northern Ireland?	
Additional comments:	

Q3: DVTA recommend option (b) for the taxi drivers' theory test. Do you agree with this recommendation?	Yes	
	No	
Additional comments:		

Q4: Do you agree that the pass criteria for a Taxi Driver taking a practical test should be stricter than that for a private car driver?	Yes	
	No	
Additional comments:		

Q5: Do you think the maximum number of driving faults should be reduced or that the assessment criteria should be similar to that for an Approved Driving Instructor (ADI)?	Yes	
	No	
Additional comments:		

Q6: Do you agree that a taxi driver should be assessed on their ability to put the passenger at ease with their practical driving?	Yes	
	No	
Additional comments:		

Q7: Do you agree that a right hand reverse exercise should form part of the practical driving test for a taxi driver?	Yes	
	No	
Additional comments:		

Q8: Do you consider that a taxi driver should be able to demonstrate the ability to select a suitable position for a passenger to alight?	Yes	
	No	
Additional comments:		

Q9: Do you agree that the Taxi Driving Test should have both a theory element and a practical element?	Yes	
	No	
Additional comments:		

Q10: Do you agree with the proposal to assess drivers of accessible taxis to ensure they are able to assist the passenger?	Yes	
	No	
Additional comments:		

Q11: Should existing taxi licence holders who drive wheelchair accessible vehicles be required to take this test upon licence renewal?	Yes	
	No	
Additional comments:		

Q12: Do you think DVTA should conduct a wheelchair assessment test if introduced, and if not do you think it should be a stand alone test or form part of a training course?	Yes	
	No	
Additional comments:		

Q13: Do you agree with these proposals for the minimum test vehicle requirements for a Taxi Driving Test?	Yes	
	No	
Additional comments:		

Q14: Do you agree that those drivers wishing to drive wheelchair assessable taxis should have their test conducted in an accessible vehicle?	Yes	
	No	
Additional comments:		

Q15: Do you agree that taxi drivers from GB should be required to take the DVTA Taxi Driving Test to obtain a Northern Ireland taxi license?	Yes	
	No	
Additional comments:		

Q16: Do you agree with DVTA’s proposal to introduce option 2.9.2 in order to keep the Taxi Industry on par with the other vocational transport industries?	Yes	
	No	
Additional comments:		

Q17: Do you agree that larger operators would be able to get in-house training courses approved?	Yes	
	No	
Additional comments:		

Q18: DVTA recommend option 2.10.3 for licensing drivers of ASLs. Do you agree with this recommendation?	Course	
	Test	
Additional comments:		

Q19: If option 2.10.2 were chosen, do you think that existing ASL drivers should have to complete the test upon licence renewal?	Yes	
	No	
Additional comments:		

Q20: Do you agree that limousine drivers should carry a comment on their taxi driver card to indicate they are qualified to do so?	Yes	
	No	
Additional comments:		

Q21: Do you agree that limousine drivers caught driving with a regular Taxi Driving Licence should be dealt with as outlined above?	Yes	
	No	
Additional comments:		

Appendix B – List of Consultees

The following is a list of organisations to which this consultation document has been sent. This list is not exhaustive. If you feel this document should be sent to someone not on this list please contact DVTA.

DOE Equality Consultees

NIPSA

House of Lords Library

House of Commons Library

Northern Ireland Assembly Library

MPs and MEPs

MLAs

Northern Ireland Party Leaders

Road Safety Organisations

Department of the Environment (NI)

Driving Standards Agency

Driver and Vehicle Licensing Northern Ireland