



STATUTORY INSTRUMENTS

S.I. No. 722 of 2007



TAXI REGULATION ACT 2003 (FIXED CHARGES OFFENCES)
REGULATIONS 2007

(Prn. A7/1846)

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TAXI REGULATION ACT 2003 (FIXED CHARGES OFFENCES)
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The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 46 of the Taxi Regulation Act 2003 (No. 25 of 2003) hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2007.
2. An offence under Part 3 of the Taxi Regulation Act 2003 (No. 25 of 2003) consisting of a contravention of a provision of the Regulations referred to in Schedule 1 is declared to be a fixed charge offence.
3. The amount of €250 is prescribed for the fixed charges offences referred to in Schedule 1 for the purposes of section 46 of the Taxi Regulation Act 2003.
4. The form of notice set out in Schedule 2 is prescribed as the form of notice for the purposes of section 46 of the Taxi Regulation Act 2003.
5. The Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2006 (S.I. No. 494 of 2006) is revoked.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 30th October, 2007.*

SCHEDULE 1

Regulation 2.

€250 Fixed Charge

Offences under Part 3 of the Taxi Regulation Act 2003

Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007)

Regulation	Description of Contravention
Regulation 6.	Operation of more than one small public service vehicle licence in respect of a single small public service vehicle.
Regulation 7(2).	Removal or attempted removal of tamper-proof disc from a small public service vehicle.
Regulation 7(3).	Failure to display tamper-proof disc.
Regulation 8(1).	Failure to display required in-vehicle information.
Regulation 8(3).	Removal or attempt removal of in-vehicle information.
Regulation 9.	Unreasonable refusal to carry passenger where journey not more than 30 kilometres.
Regulation 10(1).	Failure to have taximeter calibrated in line with current maximum fare order.
Regulation 10(3).	Operating taximeter while taxi standing for hire or plying for hire.
Regulation 10(4).	Failure to operate taximeter while taxi on hire.
Regulation 11.	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.
Regulation 12.	Applying a booking fee in respect of a taxi or wheelchair accessible taxi where engaged while plying for hire or standing for hire or without having been booked in advance by the consumer.
Regulation 13(1)	Standing at appointed stand while vehicle not available for hire.
Regulation 13(2).	Standing for hire in taxi or wheelchair accessible taxi otherwise than at an appointed stand.
Regulation 14.	Plying for hire or standing for hire in a hackney or limousine.
Regulation 15.	Refusal to carry Assistance Dog or Guide Dog in small public service vehicle.
Regulation 16.	Failure to provide receipt in respect of taxi or wheelchair accessible taxi.
Regulation 17.	Failure to provide receipt in respect of hackney or limousine.
Regulation 18.	Operating in county without satisfactory local knowledge.

Regulation	Description of Contravention
Regulation 21 and Schedule.	Failure to comply with taxi sign requirements (including failure to display current licence number within 28 days of date of issue of new licence number).
Regulation 22(1).	Failure to display required driver identification.
Regulation 22(3).	Displaying forged driver identification on small public service vehicle.
Regulation 23.	Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the Commission.

SCHEDULE 2

Regulation 4.

Fixed Charge Offence

Notice under section 46 of the Taxi Regulation Act 2003

Date _____ (insert date)

(insert name).....
(insert address).....
.....

Alleged Offence

It is alleged that you have committed an offence (*specify offence*), involving the use of a small public service vehicle bearing licence number _____ (*insert licence number*) in a public place at (*insert location*) at _____ (*insert time*) on _____ (*insert date*).

Name of Authorised Person
Person:

Signature of Authorised Person:

Payment of Fixed Charge

1. In respect of the offence alleged in this notice you may, during the period of 28 days, beginning on the date of this notice, pay a fixed charge of €250.00 (otherwise than in cash) to the Commission for Taxi Regulation at _____ (*insert address*).

2. A payment of a fixed charge under this notice must be accompanied by all of this notice, if payment is made in person or by post.

3. You will not be prosecuted—

(a) during the period of 28 days from the date of this notice, or

(b) at all, if the correct payment, in accordance with this notice, during that period, is made in respect of the offence specified in this notice.

Manner of Payment

All fixed charges payable under section 46 of the Taxi Regulation Act 2003 shall be paid to the Commission for Taxi Regulation, 35 Fitzwilliam Square, Dublin 2 and shall be so paid (otherwise than in cash) by cheque, money order or

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postal order, or by such other means as the Commission for the time being considers appropriate.



GIVEN under the seal of the Commission for Taxi Regulation,
30 October 2007

KATHLEEN DOYLE.
Commissioner for Taxi Regulation.

EXPLANATORY MEMORANDUM

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations declare contraventions of certain Regulations to be fixed charges offences. These are:

- Operation of more than one small public service vehicle licence in respect of a single vehicle;
- Removal or attempt to remove tamper-proof disc;
- Failure to display tamper-proof disc;
- Failure to display the relevant in-vehicle information in a small public service vehicle;
- Removal or attempt to remove required in-vehicle information;
- Unreasonable refusal to carry a passenger for a journey of not more than 30 kilometres;
- Failure to have taximeter properly calibrated in line with the current maximum fare;
- Operating taximeter while taxi or wheelchair accessible taxi standing for hire or plying for hire;
- Failure to operate the taximeter while the taxi or wheelchair accessible taxi is on hire
- Failure to comply with requirements in relation to the fitting and operation of the taximeter;
- Charging a booking fee when plying for hire or standing for hire or, without having been pre-booked by a consumer, at an airport, transport station or other location;
- Standing at an appointed stand while vehicle is not available for hire;
- Standing for hire in a taxi or wheelchair accessible taxi otherwise than at an appointed stand;
- Plying for hire or standing for hire in a hackney or limousine;
- Refusal to carry a guide dog or other assistance dog;
- Failure to provide a required receipt in respect of a taxi or wheelchair accessible taxi;

- Failure to provide a required receipt in respect of a hackney or limousine;
- Operating as a taxi or wheelchair accessible taxi without having demonstrated satisfactory knowledge of the local area;
- Failure to comply with roof sign requirements for taxis and wheelchair accessible taxis, including failure to display current licence number within 28 days of the date of issue of a new licence number;
- Failure to display required driver identification;
- Displaying forged driver identification on a SPSV;
- Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the Commission;

All fixed charges offences declared by these Regulations attract a fixed charge of €250. The Regulations prescribe the form of notice for the purposes of enforcement of the fixed charge offences.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
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