STATUTORY RULES OF NORTHERN IRELAND

2014 No. 302

ROAD TRAFFIC AND VEHICLES

The Taxi Licensing Regulations (Northern Ireland) 2014

Made - - - - 9th December 2014

Coming into operation in accordance with regulation 1

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The Department of the Environment makes the following Regulations in exercise of the powers conferred by sections 13(2), (3) and (5), 15(2), 19(1), 20, 30(1) and (2), 56(1) and 57(1) of the Taxis Act (Northern Ireland) 2008(**a**).

PART 1

Preliminary

Citation and commencement

1.—(1) These Regulations may be cited as the Taxi Licensing Regulations (Northern Ireland) 2014 and, subject to paragraph (2), shall come into operation on 29th June 2015.

(**a**) 2008 c.4 (N.I.)

(2) Regulations 1 to 3 and Schedule 1, insofar as that Schedule relates to those regulations, shall come into operation on 1st June 2015.

Interpretation

2. In these Regulations—

"the Act" means the Taxis Act (Northern Ireland) 2008;

"the 1967 Act" means the Transport Act (Northern Ireland) 1967(**a**);

"the 1988 Act" means the Road Traffic Act 1988(**b**);

"the 2011 Act" means the Transport Act (Northern Ireland) 2011(**c**);

"approved M1 vehicle" means a vehicle which is issued with—

(a) an EC certificate of conformity under Directive 2007/46/EC(**d**);

(b) a certificate of conformity in compliance with regulations made under the 1981 Order or the 1988 Act;

(c) a single vehicle approval certificate in compliance with regulations made under the 1981 Order or the 1988 Act; or

(d) an individual vehicle approval certificate in compliance with the Road Vehicles (Approval) Regulations 2009(**e**);

"centre" means a centre provided and maintained by the Department under Article 73 of the 1995 Order;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**f**);

"Directive 2007/46/EC" means Directive 2007/46/EC of the European Parliament and of the Council of 5th September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;

"entrance" means any aperture or space provided to enable passengers to board the vehicle;

"exit" means any aperture or space provided to enable passengers to leave the vehicle;

"first used" has the same meaning as in regulation 2(4) of the Construction and Use Regulations;

"heavy motor car" has the same meaning as in regulation 2(1) of the Construction and Use Regulations;

"maximum gross weight" has the same meaning as in regulation 2(1) of the Construction and Use Regulations;

"permanent top" means any covering of a vehicle other than a hood made of canvas or other flexible material which is capable of being readily folded back so that no portion of such hood or any fixed structure of the roof remains vertically above any part of any seat of the vehicle;

"public service vehicle licence " means a licence granted under Article 61(1) of the 1981 Order;

"the Public Service Vehicles Regulations" mean the Public Service Vehicles Regulations (Northern Ireland) 1985(**g**); and

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(**a**) 1967 c.37 (N.I.)
(**b**) 1988 c. 52
(**c**) 2011 c. 11
(**d**) O.J. No. L 263, 9. 10. 2007, p. 1
(**e**) S.I. 2009/717
(**f**) S.R. 1999 No.454
(**g**) S.R. 1985 No.123

"the Taxi Operators Licensing Regulations" means the Taxi Operators Licensing Regulations (Northern Ireland) 2012(**a**).

PART 2

Taxi Licences

Application for a taxi licence

3. An applicant for a taxi licence under section 13(1) of the Act (taxi licences) shall on making the application, pay to the Department the appropriate fee specified in column (2) of Schedule 1.

Inspection of taxi

4.—(1) On notification by the Department the applicant shall present the taxi for inspection by a vehicle examiner, in clean condition, at the time and centre specified in the notice, together with the—

(a) registration document;

(b) most recent licence, plate or sign, if any; and

(c) certificate of a valid policy of insurance.

(2) The inspection of the taxi shall include inspection of the items listed in Schedule 2 as applicable to the taxi being inspected.

(3) A vehicle examiner shall not be obliged to carry out an inspection where—

(a) the taxi is not submitted at the time and centre notified to the applicant;

(b) on presentation of a taxi for inspection the applicant does not produce the items specified in paragraph (1);

(c) the particulars provided at the time of the application are found to be substantially incorrect;

(d) the taxi, or any part of, or any equipment of, the taxi is so dirty as to make it unreasonably difficult for the inspection to be carried out in accordance with the provisions of these Regulations;

(e) the taxi emits substantial quantities of avoidable smoke; or

(f) a vehicle examiner is not able to complete the inspection due to the failure of a part of the taxi which renders it incapable of being moved in safety under the power of the taxi.

Classes of use

5.—(1) For the purposes of section 13(2) of the Act the prescribed classes of use for which a taxi licence may be granted are specified in the Table.

Table

Column (1) *Class of licence*	*Column (2)* *Permitted use*
A	(a) plying for hire or reward; (b) carrying passengers for hire or reward; and (c) standing at taxi stands outside the district of Belfast.

(**a**) S.R. 2012 No. 316

B	(a) plying for hire or reward; (b) carrying passengers for hire or reward; and (c) standing at taxi stands.
C	carrying passengers for hire or reward.
D	carrying passengers for hire or reward only when the taxi — (a) is listed on a road service licence granted under Part II of the 1967 Act and used in accordance with that licence; or (b) is used in accordance with a service permit issued under Part 1 of the 2011 Act.

(2) In this regulation "the district of Belfast" has the same meaning as in the Local Government (Boundaries) Order (Northern Ireland) 2012(**a**).

Grant of licence

6.—(1) Subject to section 13(3)(b) of the Act, where an application is made in respect of a Class A, B or D taxi licence and the Department is satisfied that the taxi—

(a) complies with the statutory requirements;

(b) is not a heavy motor car or a motor vehicle with a maximum gross weight exceeding 3500 kilograms; and

(c) is either an approved M1 vehicle or has previously been granted a public service vehicle licence,

it shall grant a licence.

(2) Subject to section 13(3)(b) of the Act, where an application is made in respect of a Class C taxi licence and the Department is satisfied that—

(a) the taxi complies with the statutory requirements; and

(b) where the taxi is a motor car, that—

(i) a public service vehicle licence has previously been granted for the taxi;

(ii) it is an approved M1 vehicle; or

(iii) it has not been altered since originally manufactured,

it shall grant a licence.

(3) A taxi licence shall not be granted where a valid taxi licence for that taxi already exists.

(4) Where the Department refuses to grant a taxi licence it shall notify the applicant of the decision including the reasons for refusal.

(5) In this regulation—

"motor car" has the same meaning as in regulation 2(1) of the Construction and Use Regulations; and

"the statutory requirements" mean—

(a) the Construction and Use Regulations;

(b) the Road Vehicles Lighting Regulations (Northern Ireland) 2000(**b**);

(c) the Road Vehicles (Display of Registration Marks) Regulations 2001(**c**); and

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(**a**) S.R. 2012 No.421
(**b**) S.R. 2000 No.169
(**c**) S.I. 2001/561

(d) Parts 3 and 4, and where the application is in respect of a Class B taxi licence, Schedule 3.

Use of licensed taxi

7.—(1) Subject to paragraph (2), the owner or driver of a taxi for which a licence of a Class specified in column (1) of the Table in regulation 5(1) has been granted shall not cause or permit the use of the taxi other than in accordance with the permitted use specified in column (2) of that Table.

(2) The owner or driver of a Class D licensed taxi shall not cause or permit the use of the taxi other than in accordance with the permitted use specified in column (2) of the Table in regulation 5(1) unless the taxi is used—

(a) to provide a tour service on behalf of a licensed operator and the requirements specified in regulation 9(1A) of the Taxi Operators Licensing Regulations(**a**) are satisfied; or

(b) to provide a service for—

(i) a health and social care body as defined in section 1(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009(**b**); or

(ii) an Education and Library Board established under Part 2 of the Education and Libraries (Northern Ireland) Order 1986(**c**).

(3) Subject to paragraph (4), the owner or driver of a Class C licensed taxi shall not cause or permit the taxi to carry passengers for hire or reward without a duly completed journey form as specified in regulation 9(1A) of the Taxi Operators Licensing Regulations.

(4) Paragraph (3) shall not apply where the taxi is being used for the purposes of a wedding or to provide courtesy transport.

(5) In this regulation—

"tour service" has the same meaning as in regulation 9(5) of the Taxi Operators Licensing Regulations(**d**); and

"courtesy transport" has the same meaning as in regulation 15(3) of the Taxi Operators Licensing Regulations(**e**).

Further application for a taxi licence

8.—(1) Where an applicant is notified in accordance with regulation 6(4), the applicant may make a further application for a taxi licence within 21 days from and including the date of the notification and a further inspection of the taxi shall be carried out.

(2) An applicant shall, on making such a further application, pay to the Department the appropriate fee specified in column (2) of Schedule 1.

Refund of fees

9.—(1) Any fees paid in pursuance of regulations 3(1) and 8(2) shall be refunded to the applicant if—

(a) no appointment for an inspection of the taxi is made or the appointment made is subsequently cancelled by the Department;

(b) the applicant gives to the Department notice cancelling the appointment of not less than one day before the date of the appointment;

(**a**) Paragraph (1A) is inserted by regulation 2(4)(a) of S.R. 2014 No. 303
(**b**) 2009 c.1 (N.I.)
(**c**) S.I. 1986/594 (N.I. 3)
(**d**) The definition of "tour service" is inserted by regulation 2(4)(c) of S.R. 2014 No. 303
(**e**) The definition of "courtesy transport" is amended by regulation 2(8)(b) of S.R. 2014 No. 303

(c) the applicant keeps the appointment but the inspection does not take place, or is not completed, for reasons attributable neither to the applicant nor to the vehicle presented for inspection; or

(d) the applicant satisfies the Department that, due to exceptional circumstances occurring not more than 7 days before the date of appointment, the taxi cannot reasonably be presented for inspection on that date and notice is given to the Department, at the centre where the inspection is to be held, within 3 days of those circumstances first arising.

(2) For the purposes of calculating the period of any notice given under this regulation, no period of time shall include any day that is a Saturday, Sunday or public holiday.

(3) In this regulation—

"exceptional circumstances" means an accident, fire, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts thereof); and

"public holiday" shall not include Good Friday and shall include Easter Tuesday.

Conditions of licence

10.—(1) The owner of a licensed taxi shall—

(a) not deface or mutilate or permit the defacement or mutilation of the taxi licence;

(b) keep the taxi, its accessories and equipment in good order and repair, and shall take all practical measures to ensure that all parts of the mechanism, including the brakes, are free from defects and in efficient working order;

(c) if an alteration in design or construction to the taxi has been made since the licence was granted, notify, as soon as reasonably practicable, full particulars of that alteration to the Department;

(d) not permit any person to drive the taxi for hire or reward unless that person is the holder of a taxi driver's licence; and

(e) acquaint any person permitted to drive the taxi for hire or reward with the conditions of the taxi licence issued in respect of it.

(2) The owner or driver of a licensed taxi shall not cause or permit the taxi to stand or wait within such area as the Department may indicate on the licence except to set down a passenger.

Display of plates and signs

11.—(1) For the purposes of section 15(2) of the Act (identification of licensed vehicles), the manner in which a plate or sign issued under section 15(1) of the Act is exhibited, is specified in paragraphs (2) to (4).

(2) Where the taxi is a Class A or B licensed taxi—

(a) the plates shall be—

(i) fixed to the roof sign in such a way that they can be readily removed without damage to the roof sign, plate or any vehicle component; and

(ii) fixed to the nearside of the front of the roof sign and the offside of the rear of the roof sign so that they are not projecting higher, lower or longer than the roof sign; and

(b) the signs shall be fixed to the inside surfaces of the windows of both rear passenger doors and the nearside of the front windscreen with the licence details facing outwards.

(3) Where the taxi is a Class C licensed taxi, the sign shall be fixed to the nearside of the front windscreen.

(4) Where the taxi is a Class D licensed taxi, the signs shall be fixed to the nearside of the front windscreen and rear window.

(5) A plate or sign displayed upon a taxi shall not be altered, defaced, mutilated or added to, and shall be kept clean and in such a state that all figures and lettering can be clearly distinguished and not obscured in any way.

Duplicate licence, plate or sign

12. Where the Department is satisfied that a taxi licence, plate or sign has been lost, accidently defaced or destroyed, it shall issue a new taxi licence, plate or sign on payment of the fee specified in column (2) of Schedule 1.

Change of address of owner

13. Where the address of the owner of a licensed taxi changes during the currency of the licence, the particulars of the change shall be notified to the Department within 21 days of the change occurring.

PART 3

Fitness of taxis

Length of taxi

14. Where an application is in respect of a Class A, B or D taxi licence, the total length of the taxi shall be not less than 3.96 metres.

Fuel tanks and apparatus

15.—(1) Fuel tanks and apparatus supplying fuel to the engine of every taxi shall be properly constructed of suitable material and of sufficient strength, and shall be so placed that fuel flowing from any such part shall not fall or accumulate where it can be readily ignited.

(2) Where a taxi has been fitted with a Liquid Petroleum Gas fuel system after the vehicle was first used, the applicant shall provide documentary evidence to satisfy the Department that the fuel system, components and the installation requirements, comply with ECE Regulation 67.01.

(3) In this regulation—

"Liquid Petroleum Gas" means any product essentially composed of the following hydrocarbons: propane, propene (propylene), normal butane, isobutylene, butane (butylene) and ethane; and

"ECE Regulation" has the same meaning as in regulation 2(2) of the Construction and Use Regulations.

Exhaust system

16. The exhaust system of every taxi shall be so fitted or shielded that no flammable material can fall or be thrown upon it from any other part of the taxi and so that it is not likely to cause a fire through proximity to any flammable material on the taxi. The outlet of the system shall be so placed and the whole system, be such as to prevent, so far as practicable, fumes from entering the taxi.

Steps and rails

17.—(1) Subject to paragraph (4), the lowest step of every entrance or exit from which a passenger can step directly to the ground, shall be not more than 435 millimetres above the ground when the taxi is unoccupied. Any fixed step shall in no case project laterally beyond the taxi unless it is protected by the front wings of the taxi, or otherwise is such that it is not liable to injure pedestrians.

(2) Where the lowest step of every entrance or exit from which a passenger can step directly to the ground is more than 435 millimetres, suitable steps, and where appropriate, hand rails, shall be provided.

(3) Where steps are provided, they shall be maintained in proper order and repair and comply with the following specifications—

(a) the surface of each tread shall be covered in a slip-resistant material;

(b) each retractable or folding step shall have a driver's warning device attached to it which warns the driver that it has been deployed;

(c) subject to paragraph (4), there shall be a band of colour across the front edge of each tread of not less than 45 millimetres and not more than 50 millimetres in width, which shall contrast with the remainder of the tread; and

(d) the steps shall be soundly and properly constructed of suitable materials, and of such design as to be capable of withstanding the loads and stresses likely to be met within normal operation of the taxi.

(4) Paragraphs (1), (2) and (3)(c) shall not apply where an application is in respect of a Class C taxi licence and the taxi is not a heavy motor car or a motor vehicle with a maximum gross weight exceeding 3500 kilograms and was first used before 1st January 2001.

(5) Where an application is in respect of a Class C taxi licence and the taxi is a heavy motor car or is a motor vehicle with a maximum gross weight exceeding 3500 kilograms and an additional step is provided between the lowest step and the passenger compartment, the vertical distance between each riser shall not be less than 120 millimetres and not greater than 250 millimetres.

(6) Where paragraph (5) applies hand rails shall be provided to assist passengers to enter or exit the taxi.

Calculation of maximum seating capacity

18.—(1) A vehicle examiner shall determine the number of passengers who may be seated in a taxi.

(2) Where an application is in respect of a Class A, B or D taxi licence one passenger shall be counted for each seat length of 400 millimetres taking into account safe and unobstructed access to and from each seat.

(3) Where an application is in respect of a Class C taxi licence and the taxi is a heavy motor car or a motor vehicle with a maximum gross weight exceeding 3500 kilograms—

(a) one passenger shall be counted for each seat length of 400 millimetres; and

(b) the vehicle examiner shall take into account safe and unobstructed entry and exit gained through the nearside door.

General construction and condition

19.—(1) The bodywork, doors, upholstery and fittings of every taxi shall be soundly and properly constructed of suitable materials, and of such design as to be capable of withstanding the loads and stresses likely to be met within normal operation of the taxi and be maintained in a clean condition.

(2) All wires and equipment carrying electrical current shall be adequately insulated and protected and be so placed as not to be a source of danger.

(3) Where an application is in respect of a Class A, B or D taxi licence the taxi shall have a permanent top and shall be fitted with—

(a) at least 4 doors, of which 2 shall be situated on each side of the taxi, and each side door shall be capable of being opened independently from each other and from inside and outside the taxi;

(b) a steering wheel on the right hand side of the taxi when viewed from a forward-facing front seat; and

(c) 4 wheels.

(4) Where an application is in respect of a Class C taxi licence the taxi shall be fitted with—

(a) at least 2 doors, of which one shall be situated on the nearside of the taxi and one on the offside or rear of the taxi;

(b) a steering wheel; and

(c) 4 wheels.

(5) Where an application is in respect of a Class C taxi licence and the taxi is a heavy motor car or a motor vehicle with a maximum gross weight exceeding 3500 kilograms it shall comply with the additional specifications set out in sub-paragraphs (a) to (l)—

(a) each manually operated door shall have a slam lock of the two stage type;

(b) power operated doors shall be fitted in compliance with Schedule 6 to the Construction and Use Regulations (construction requirements of minibuses);

(c) the hinges fitted to any manually operated door that opens outwards and is situated on the side of the taxi must be fitted to the edge nearest to the front of the taxi;

(d) every handle or device used to open a door on the outside of the taxi shall be not more than 1500 millimetres from the ground;

(e) all doors must be constructed to provide natural light into the taxi and enable a person immediately inside the door to see a person immediately outside the door;

(f) adequate ventilation shall be provided for passengers and the driver without the necessity of opening any main window or windscreen;

(g) there shall be adequate means of communication between the passengers and the driver;

(h) the supports of all seats shall be securely fixed in position and no seat shall be fitted to any door of the taxi;

(i) where any seat is so placed that a passenger seated upon it is liable to be thrown down a stairway in the taxi, an effective screen or guard of between 800 millimetres and 1100 millimetres in height shall be placed so as to afford adequate protection against that occurrence;

(j) the top of the side rails or panels of a taxi not having a permanent top shall be at least 910 millimetres above the floor and at least 455 millimetres above the highest part of any passenger seat cushion and the top of the front and back rails or panels shall be at least 1.21 metres above any part of the floor;

(k) adequate provision shall be made to protect the driver from the effects of glare and reflections caused by artificial interior lighting; and

(l) where the taxi is a decommissioned emergency response or military vehicle it shall be a different colour to that used by the primary user and shall not display any markings or exterior equipment that was used by the primary user.

(6) In this regulation—

"forward-facing front seat" has the same meaning as in regulation 55(11) of the Construction and Use Regulations (seat belts); and

"primary user" means the first user for which the vehicle was manufactured.

Access to doors

20.—(1) Subject to paragraph (2), where an application is in respect of a Class C taxi licence and the taxi is a heavy motor car or a motor vehicle with a maximum gross weight exceeding 3500 kilograms each passenger shall be provided with unobstructed access to at least 2 doors, one of which must be on the near side of the taxi and one of which must be either at the rear of the taxi or on the offside of the taxi.

(2) Access to one only of the doors referred to in paragraph (1) may be obstructed by either or both—

(a) a seat which when tilted or folded does not obstruct access to that door; and

(b) a lifting platform or ramp which—

(i) does not obstruct the handle or other device on the inside for opening the door with which the platform or ramp is associated; and

(ii) when the door is open, can be pushed or pulled out of the way from the inside so as to leave the doorway clear for use in an emergency.

Luggage

21.—(1) Subject to paragraph (2), provision shall be made for the carriage of baggage of at least 80 litres capacity. This should be provided separately from the carriage of passengers, and properly secured to ensure that there is no risk to passenger safety.

(2) Paragraph (1) shall not apply where an application is in respect of a Class C taxi licence.

PART 4

Equipment

Fire extinguishers

22.—(1) Every taxi shall be fitted with suitable and efficient fire extinguishing apparatus which is of one or more of the types specified in Schedule 4.

(2) The apparatus referred to in paragraph (1) shall be—

(a) readily available for use;

(b) clearly marked with the appropriate British Standards Institution Specification number; and

(c) maintained in good and efficient working order.

(3) Paragraph (1) shall not apply to a taxi if it carries apparatus for extinguishing fire which would meet the requirements of that paragraph were there substituted—

(a) for a reference in Schedule 4 to any British Standard, a reference to a corresponding standard;

(b) for the reference in Schedule 4 to a test fire rating of 8A or the reference in that Schedule to a test fire rating of 21B, a reference to an equivalent level of performance specified in the corresponding standard; and

(c) for the reference in paragraph (2)(b) to the appropriate British Standards Institution Specification number, a reference to a marking indicating compliance with the corresponding standard.

(4) In this regulation "corresponding standard" in relation to a British Standard means—

(a) a standard or code of practice of a national standards body or equivalent body of an EEA State;

(b) any international standard recognised for use as a standard by any EEA State; or

(c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard code of practice, international standard or technical specification provides, in relation to fire extinguishers, a level of safety equivalent to that provided by the British Standard and contains a requirement as respect the markings of fire extinguishers equivalent to that provided by the British Standard.

(5) In this regulation—

"EEA State" means a State which is a contracting party to the EEA Agreement; and

"EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992(**a**) as adjusted by the Protocol signed at Brussels on 17th March 1993(**b**).

Repair outfit

23.—(1) Subject to paragraphs (2) to (4), a taxi shall be fitted with—

(a) a fully inflated tyre, mounted on a spare rim or wheel, such tyre being suitable for use in accordance with regulation 32(1) of the Construction and Use Regulations (condition and maintenance of tyres);

(b) an efficient lifting jack; and

(c) a wheel brace or similar tool.

(2) Where a vehicle is supplied by the manufacturer with no facility for the carriage of a spare wheel, a suitable post puncture repair kit shall be carried in the taxi.

(3) Paragraphs (1) and (2) shall not apply to a taxi which is fitted with tyres which are suitable for use in accordance regulation 32(2) of the Construction and Use Regulations.

(4) This regulation shall not apply where an application is in respect of a Class C taxi licence and the taxi is a heavy motor car or motor vehicle with a maximum gross weight exceeding 3500 kilograms.

Roof sign

24.—(1) Where an application is in respect of a Class A or B taxi licence, the taxi shall be fitted with a roof sign which is mounted on and fixed safely to the roof of the taxi.

(2) The roof sign shall—

(a) be a minimum of 125 millimetres high;

(b) be capable of holding a plate which—

(i) can readily be removed without damage to the roof sign, plate or vehicle component; and

(ii) can be fixed to the nearside of the front and offside of the rear of the roof sign so that it is not projecting higher, lower or longer than the roof sign;

(c) be fitted so as not to cause danger to a person in the vehicle or a person entering or alighting from it;

(d) be mounted centrally and positioned transversely when viewed from the front of the vehicle;

(e) not overhang the roof or measure less than 750 millimetres across but may occupy the breadth of the roof;

(f) not project more than 250 millimetres above the highest part of the roof;

(g) display to the front on a yellow background in clear and legible black letters the name or trading name of the licensed operator or the word "Taxi";

(h) display to the rear on a yellow background and in clear and legible black letters a telephone number or the word "Taxi";

(i) be illuminated internally during the hours of darkness to show a steady yellow light to the front and the rear;

(j) be fused at source against electrical short circuit; and

(k) not cause dazzle or discomfort to other road users.

(3) Where an application is in respect of a Class B taxi licence the roof sign shall include the display of a wheelchair logo which shall be—

(**a**) Cm 2073; O.J. No. L1, 3.1.94, p.3
(**b**) Cm 2183

(a) coloured black and printed directly onto the roof sign or on another transparent material which can be illuminated from behind; and

(b) 125 millimetres wide and 125 millimetres tall and be placed at the offside of the front and nearside of the rear of the roof sign so that it is not projecting higher, lower and longer than the roof sign.

Wheelchair sign

25. Where an application is in respect of a Class B taxi licence a wheelchair sign shall be displayed on the door most likely to be used by a person boarding the taxi in a wheelchair, in the form of that referred to in paragraph 8 of Schedule 1 to the Public Service Vehicles (Accessibility) Regulations (Northern Ireland) 2003(**a**) (wheelchair accessibility requirements).

PART 5

Use of taxis

Display of roof sign

26.—(1) The owner or driver of a Class A or B licensed taxi standing or plying for hire or reward or carrying passengers for hire or reward shall not use it for that purpose unless there is displayed a roof sign which complies with the requirements of regulation 24(2) and which is not obscured by any object.

(2) The owner or driver of a Class C licensed taxi shall not cause or permit the display of any roof sign or other external markings which advertises the taxi as carrying passengers for hire or reward.

(3) The owner or driver of a licensed taxi shall not cause or permit the display of any wheelchair accessible logo, information or advertisement on the roof sign or purport to be a wheelchair accessible taxi unless the taxi is a Class B licensed taxi.

Front and rear seats

27. The owner or driver of a licensed taxi shall not permit more than one passenger to be carried in each front and rear seat of the taxi.

Body maintenance

28. The owner or driver of a licensed taxi shall not use the taxi to carry passengers for hire or reward or cause or permit it to be so used unless the interior and exterior of the taxi are serviceable and clean.

Filling of fuel tank

29. The owner or driver of a licensed taxi shall not, while the engine of the taxi is running, cause or permit the filler cap fitted to the fuel tank to be removed or fuel to be put into the tank.

Carriage of flammable or dangerous substances

30.—(1) The owner or driver of a licensed taxi shall not use or cause or permit to be used any taxi in which any highly flammable or otherwise dangerous substance is carried unless that substance is carried in containers so designed and constructed, or unless the substance is so packed, that, notwithstanding an accident involving the taxi, it is unlikely that damage to the taxi

(**a**) S.R. 2003 No. 37

or injury to passengers carried by the taxi will be caused by reason of the presence in it of that substance.

(2) The requirements of this regulation are in addition to and not in derogation of the requirements of regulations made under the Petroleum (Consolidation) Act (Northern Ireland) 1929(**a**) or under any other statutory provision.

PART 6

General

Certificate of exemption

31. For the purpose of the definition of "taxi" in section 57(1) of the Act (interpretation), a certificate of exemption shall be in the form set out in Schedule 5.

Transitional provisions

32.—(1) Where an application for a public service vehicle licence has been made under the 1981 Order but not finally determined on 29th June 2015, the application shall continue to be determined under the provisions of that Order.

(2) A public service vehicle licence in force on 29th June 2015 shall be regarded as a taxi licence granted under the Act and shall continue in force until the expiry date of the licence unless suspended or revoked.

(3) Any revocation or suspension of a public service vehicle licence, in force on 29th June 2015 shall be regarded as a revocation or suspension under section 26(5) of the Act (power to suspend, revoke or curtail licences).

(4) A certificate of exemption for a public service vehicle in the form set out in Schedule 2 to the Public Service Vehicles Regulations shall continue to be valid for 12 months from and including 29th June 2015.

Transitional provisions: Classes of use

33.—(1) The holder of a public service vehicle licence shall, until the expiry of the licence, continue to display the plates for the taxi in accordance with Schedule 10 to the Public Service Vehicles Regulations and the taxi shall be deemed as licensed for use as set out in paragraphs (2) to (6).

(2) A taxi displaying plates in the form specified in Part I of Schedule 10 to the Public Service Vehicles Regulations shall be deemed for use as if it were a Class B licensed taxi.

(3) Subject to paragraph (6), a taxi displaying plates in the form specified in Parts II and III of Schedule 10 to the Public Service Vehicles Regulations shall be deemed for use as if it were a Class A licensed taxi.

(4) A taxi displaying plates in the form specified in Part IV of Schedule 10 to the Public Service Vehicles Regulations shall be deemed for use as if it were a Class D licensed taxi.

(5) A taxi displaying plates in the form specified in Part V of Schedule 10 to the Public Service Vehicles Regulations shall be deemed for use as if it were a Class C licensed taxi.

(6) Where the taxi displaying plates in the form specified in Part III of Schedule 10 to the Public Service Vehicles Regulations is a stretched limousine it shall be deemed for use as if it were a Class C licensed taxi.

(7) In this regulation "stretched limousine" means a vehicle which has a passenger compartment that has been lengthened following its original construction.

(**a**) 1929 c.13 (N.I.)

Sealed with the Official Seal of the Department of the Environment on 9th December 2014



Iain Greenway
A senior officer of the
Department of the Environment

SCHEDULE 1

Regulations 3, 8(2) and 12

Fees for Taxi Licences

Column (1) *Matter*	*Column (2)* *Fees*
Application for a taxi licence	£138.50
Further application for a taxi licence within 21 days	£19.50
New taxi licence, plate or sign to replace one lost, accidently defaced or destroyed	£10.00

SCHEDULE 2

Regulation 4(2)

Items Included in Inspection

1. BRAKING SYSTEMS
(1) Service brake
(a) mechanical condition (b) efficiency (c) balance (d) vacuum pump and compressor (e) antilock braking system
(2) Parking brake
(a) mechanical condition (b) efficiency
2. STEERING AND STEERING WHEEL
(1) Mechanical condition
(2) Steering wheel
(3) Steering play
3. VISIBILITY
(1) Windscreen wipers
(2) Windscreen washers
4. LAMPS, REFLECTORS AND ELECTRICAL EQUIPMENT
(1) Main and dipped beam headlamps
(a) condition and operation (b) alignment (c) switches (d) visual efficiency
(2) Side lamps
(a) condition and operation (b) colour and visual efficiency
(3) Stop lamps
(a) condition and operation (b) colour and visual efficiency
(4) Direction-indicator lamps
(a) condition and operation (b) colour and visual efficiency (c) switches (d) flashing frequency
(5) Rear fog lamps
(a) position (b) condition and operation (c) colour and visual efficiency
(6) Reflex reflectors — condition and colour
(7) Tell-tales — trafficators
(8) Electrical wiring
(9) Hazard warning signals
(10) Side marker lamps, unless a vehicle constructed solely for the carriage of passengers and their personal effects
(11) End outline marker lamps

5. AXLES, WHEELS, TYRES SUSPENSION
(1) Axles
(2) Wheels and tyres
(3) Suspension
6. CHASSIS AND CHASSIS ATTACHMENTS
(1) Chassis or frame attachments
(a) general condition (b) exhaust pipe and silencers (c) fuel tank and pipes
(2) Cab and bodywork
(a) general condition (b) mounting (c) doors and locks (d) floor (e) driver's seat (f) steps and rails (g) vehicle dimensions
7.OTHER EQUIPMENT
(1) Audible warning device
(2) Speedometer
(3) Supplementary restraint systems
(4) Electronic stability control systems
(5) Fire extinguisher
(6) Taximeter
(7) Repair outfit
(8) Seatbelts
(9) Wheelchair equipment
8. NUISANCE
(1) Check of exhaust system for leaks
(2) Exhaust emissions
9. VEHICLE IDENTIFICATION
(1) Registration number plate
(2) Roof sign (where applicable)(3) Wheelchair sign (where applicable)

SCHEDULE 3

Regulation 6(5)

Wheelchair Facilities – Class B Licensed Taxis

Wheelchair facilities	*Specification*
Wheelchair anchorage points	(a) designed to hold a wheelchair securely in place; (b) either attached to the chassis or to the floor of the taxi; (c) if attached to the floor, shall be fixed to a galvanised plate at least 3 millimetres in gauge of minimum dimensions 200 millimetres by 200 millimetres which must be attached beneath the floor; (d) provide for the safe storage of a wheelchair when not in use, whether folded or otherwise, if carried within the passengers' compartment; and (e) so designed that they do not cause a foreseeable danger to other passengers
Restraints for a wheelchair and its occupant	(a) independent of each other; (b) so designed that they do not cause a foreseeable danger to other passengers; and (c) where the taxi is not an approved M1 vehicle with an integral partition-based restraint system be fitted with— (i) a 4 point tie down system for the wheelchair and a 3 point tie down system for the wheelchair occupant; or (ii) a restraint system that offers an equivalent level of occupant protection for a wheelchair user, as determined by the vehicle examiner.
Ramps or lifts for the loading or unloading of a wheelchair and its occupant	(a) fitted with an adequate device to ensure that it does not slip or tilt when in use; and (b) capable of being stowed safely when not in use.
In this Schedule "restraint" means a belt or other suitable device, which can be attached to a wheelchair or intended to be worn by its occupant and designed to prevent or lessen injury in the event of an accident.	

SCHEDULE 4

Regulation 22

Fire Extinguishing Apparatus

A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution numbered BS 5423: 1977, BS 5423: 1980 or BS 5423: 1987 and which—

(a) has a minimum test fire rating 8A or 21B; and

(b) contains water or foam or contains, and is marked to indicate that it contains halon 1211 or halon 1301.

SCHEDULE 5

Regulation 31

Certificate of Exemption

Ref No.....

Taxis Certificate of Exemption
Taxis Act (Northern Ireland) 2008

To.....
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.....
.....

Signature _____

Licensing Officer

Date _____

Issued by the Department of the Environment, Driver and Vehicle Agency

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Taxis Act (Northern Ireland) 2008 (S.I. 2008 (N.I. 4) which provides for the regulation and testing of vehicles which are to be licensed as taxis.

The Regulations in particular—

(a) deal with applications for taxi licences, prescribe the fees payable and set out the circumstances under which fees may be refunded;

(b) prescribe the classes of use for which a taxi licence may be granted and set out the conditions of the licence;

(c) require owners of licensed taxis to comply with conditions in relation to the equipment and use of taxis, particularly in relation to fire extinguishing apparatus, roof signs and spare wheel, lifting jack and wheel brace.

The Regulations also set out the transitional provisions which apply to holders of public service vehicle licences.

The Taxis (2008 Act) (Commencement No.4) Order (Northern Ireland) 2014 (S.I. 2014 No. 300 (C. 16)) provides for the coming into operation of the enabling provisions under which these Regulations are made.

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and are available from the Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or may be accessed via the Office of Public Sector Information website at www.opsi.gov.uk

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2014 No. 302

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