

DÁIL ÉIREANN

AN COMHCHOISTE UM IOMPAR AGUS CUMARSÁID

JOINT COMMITTEE ON TRANSPORT AND COMMUNICATIONS

Déardaoin, 14 Feabhra 2013

Thursday, 14 February 2013

The Joint Committee met at 10 a.m.

MEMBERS PRESENT:

Deputy Michael Colreavy,	Senator Terry Brennan,
Deputy Dessie Ellis,	Senator Paschal Mooney,
Deputy Terence Flanagan,	Senator Ned O'Sullivan.
Deputy Tom Fleming,	
Deputy Seán Kenny,	
Deputy Patrick O'Donovan,	
Deputy John O'Mahony,	

DEPUTY TOM HAYES IN THE CHAIR.

The joint committee met in private session until 10.05 a.m.

Taxi Regulation Bill 2012: Discussion with Tiománaí Tacsáí na hÉireann

Chairman: The purpose of this morning's meeting is to meet representatives of the Tiománaí Tacsáí na hÉireann, or TTnH, on the provisions of the Taxi Regulation Bill 2012, which is currently before the Seanad. I welcome Mr. David McGuinness and Mr. Alan Brennan, the chairman and secretary, respectively, of the TTnH. I draw the attention of witnesses to the fact that by virtue of section 17(2)(J) of the Defamation Act 2009 they are protected by absolute privilege in respect of their evidence. If they are directed by the committee to cease giving evidence on a particular matter but continue to do so, they are entitled thereafter only to a qualified privilege in respect of their evidence. Witnesses are directed that only evidence connected with the subject matter of the proceedings is to be given and they are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him\her or it identifiable. The opening statement the witnesses submitted to the committee will be published on the committee's website after the meeting.

Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Before I invite the witnesses to make their presentation, I thank members for attending. It is an extra, special meeting requested on behalf of taxi drivers and it is very important. I ask members to simply ask questions during the question and answer session rather than making speeches. We need to get out of here by a certain time and we need to allow the taxi drivers' representatives to make their case. I ask Mr. David McGuinness to make his opening statement.

Mr. David McGuinness: TTnH is a voluntary organisation representing full-time taxi drivers. It was formed in 2010 and given a mandate to make legal challenges on behalf of its members. The need for legal challenges arises on foot of the lack of fair consultation, decision-making and appeals processes in the industry.

Legislation is proceeding in the Houses of the Oireachtas which will set the pathway for the taxi sector for the foreseeable future. While welcoming the Minister's commitment to reform the industry and the inclusion in the Bill of measures to increase consumer confidence, for which stakeholders have petitioned for many years, TTnH believes the measures must strike an even balance for service providers and customers alike. As outlined in our submission, TTnH, as an organisation representing single licenceholders, believes that, with amendments or additions to the proposed Bill, the taxi sector could become a viable, safe and profitable industry for full-time single licenceholders.

Statements from the National Transport Authority and the Department of Transport, Tourism and Sport suggest the taxi industry is an integral part of the public transport system. However, the evidence points to the contrary. The lack of taxi spaces, the failure of some county councils to introduce by-laws in regard to taxi spaces, the closure of taxi ranks without prior

consultation and the lack of taxi spaces at major events all create a difficult working environment and cause disillusionment in the industry.

We thank the joint committee for giving us this second opportunity to make a submission. Unfortunately, despite many requests, the National Transport Authority considers it unnecessary to meet our organisation or consult any taxi group not involved in the taxi advisory committee. We will be happy to debate the following issues with the committee, as highlighted in our submission: a failure to tackle the issues of over-supply and PAYE workers; there being no exit strategy; non-transferability; vetting procedures; having a proper and meaningful negotiating process; the lack of an appeals process; enforcement and the demerit scheme; the National Transport Authority; stamp 2 visas; wheelchair accessible taxis and maximum fares. We hope that with the help of the committee, some of these issues can be readdressed. We thank the Chairman and members of the committee for giving us the opportunity to express our concerns.

Chairman: I thank Mr. McGuinness for his presentation.

Deputy Dessie Ellis: I, too, thank Mr. McGuinness for his presentation. I have a number of questions for the delegates.

Mr. McGuinness has mentioned that the organisation proposes to submit a number of amendments to the Bill. I look forward to receiving them.

On the lack of taxi ranks, which is the responsibility of the local authorities and causing much concern for many members of TTnH, I do not know how this issue can be addressed. The rank outside the Gresham Hotel comes to mind, as there is always a lengthy queue of taxis, causing many taxis to double park. Under the proposed regulations, a fines and penalty points system will be introduced. Perhaps Mr. McGuinness might elaborate on the problems he foresees in this regard.

On the issue of offences, the Minister has stated this process will apply retrospectively to the taxi industry. He has also mentioned that almost 6,000 registered taxi drivers have some conviction. This means that in some cases taxi drivers will have their licences suspended or revoked. The legal advice I have obtained on that issue is that this cannot be done. While I propose to pursue the matter, it will also have to be taken up by someone involved in the taxi industry. As I have repeatedly said, under the Good Friday Agreement, there are people who should be exempt from these so-called offences. Regardless, it is illegal.

Another issue which has not been gone into in much detail in the submission is that of the vetting procedures involved. Perhaps Mr. McGuinness might give his views on the matter. In other countries a person must be resident for three years before applying for a licence. On the issue of transferability, the Minister has indicated he proposes to introduce an amendment to deal with the issue. Perhaps Mr. McGuinness might set out what he believes should happen in this regard.

Chairman: Mr. McGuinness might elaborate on the organisation's concerns about the vetting procedures which every other sector in the community have to go through and accept. Why in his view should the taxi industry be treated differently from any other sector? Vetting is important and the current structure in place is very good.

Mr. David McGuinness: On the vetting procedures involved, in our submission to the review body we asked for increased vetting procedures, as did many of the other taxi representative bodies. We are not opposed to vetting, rather we are seeking increased vetting procedures.

We would welcome vetting of a standard higher than that which applies to the private security industry. The issue for us is that the vetting procedures used are not equal. Through contacts with the Garda Síochána and the Garda central vetting unit in Thurles, it has come to light that vetting of persons from other jurisdictions residing in the jurisdiction can only commence from the time they entered the country. We have a problem with this. As an organisation, we realise the importance of having proper vetting procedures to ensure people will be comfortable and feel safe when getting into a taxi. We are concerned about the Garda Síochána only being able to vet a person from the time he or she entered the State.

Chairman: What is the organisation proposing?

Mr. David McGuinness: We are proposing the introduction of a residency rule with which people would first have to comply before applying for a taxi licence. In many jurisdictions throughout Europe a person must first meet a four or five year residency rule before being eligible to apply for a taxi licence. This would allow the applicant to build a record and provide reasonable time in terms of vetting by the Garda Síochána.

On the issue of residency, since 2011 the local authorities have been carrying out residency checks on applicants for local authority housing. Our proposal would not be out of line with the circular of the Department of the Environment, Community and Local Government issued in December 2011 which states applicants for local authority housing must first meet a particular residency rule. We would welcome the introduction of a similar regulation in the taxi industry.

I will try to answer some of the questions posed by Deputy Dessie Ellis. On taxi ranks, in Dublin alone there are approximately 680 taxi spaces-standing areas. These taxi spaces-standing areas cater for approximately 10,500 taxis. At any given time of the day there are probably 4,500 to 5,000 taxis on the road. One of our main bones of contention with the demerits scheme is that it will leave taxi drivers queuing for a position on a taxi stand open to prosecution. A person caught in such a position by an enforcement officer will receive one demerit point. A person who accumulates eight such points, through no fault of his or her own but because of a lack of taxi waiting areas, can have his or her licence suspended for up to eight weeks. This is a draconian measure for a minor breach of the regulations. We also note a duplication in the fixed charge penalties and demerits scheme. The authority, enforcement officer or garda imposing the penalty determines whether a person is to be charged under the fixed charge scheme or the demerits points scheme.

On the demerits points scheme, we have queried with the Department of Social Protection whether a taxi driver suspended under the scheme should be entitled to social welfare benefits. So far we have not received any answer. That leaves taxi drivers in a position where, if they are suspended, their families would be in a precarious situation. Some of the demerit points are draconian and our industry, in particular, should not be singled out for such a scheme. We can already receive penalty points through the Road Traffic Acts, leading to suspension of a licence.

Criminal offences have been mentioned. The Minister has stated on a number of occasions that he wants the public to feel safe getting into a taxi and he is trying to create an environment in which the public will use taxis because people will know they are safe. There was a figure in a number of news media indicating that 6,000 taxi drivers have criminal offences. The next sentence in the report may have mentioned rape, murder and drug dealing. That will tar all taxi drivers with one brush. Many of the criminal offences relating to the 6,000 drivers would be minor and come from a number of years ago. The statement in the media discourages people from getting into a car, and as a taxi driver, I was shocked to hear that message. People getting

into a taxi would think the driver could be one of the 6,000 with a criminal offence, and he or she could be guilty of a major criminal offence. The statistic has not served its purpose and has instead put it into the mind of the public that the majority of taxi drivers have serious criminal offences, which is far from the truth.

Deputy Patrick O'Donovan: I thank the representatives of the industry. Following the comments of the chairman, it is important that people are reassured that when people get into a taxi, they know the person driving is without reproach. The witnesses indicated that when the group engaged with Garda authorities in Thurles, it became evident that the vetting only starts for people in a number of countries when people present to the State. What countries are those?

Mr. David McGuinness: I did not mention any countries in particular but the message from the Garda was that there is a list of countries. That was not supplied to us but the Garda indicated that some people could not be vetted until there was a point of entry.

Deputy Patrick O'Donovan: Did the Garda vetting authorities leave an impression that people are given Garda clearance only from the time they arrive in the country?

Mr. David McGuinness: Yes. It was also indicated that nothing could be done once the application was made.

Deputy Patrick O'Donovan: Was it indicated that these countries are outside the European Union, typically?

Mr. David McGuinness: They are in particular outside the European Union. As the Deputy knows, most European Union countries have a decent enough judicial system with reasonable tracking records. The indication was the countries in question are outside the European Union.

Deputy Patrick O'Donovan: That is a quite a serious development and we should be asking officials from the Garda vetting authority, the Department of Justice and Equality or both to come before the committee to give an indication of the countries from where we cannot get information.

Chairman: The matter is going through the Seanad and we will get it at a later stage.

Deputy Dessie Ellis: It will be in the Dáil next week.

Deputy Patrick O'Donovan: I know it is short notice but this is a serious issue. People from a third country could potentially have serious criminal records and arrive in Ireland. We all know about residency issues and even for something like social welfare and children's allowance, one needs to prove residency in the State. It is a serious development and I ask the Department of Transport, Tourism and Sport to make every effort possible to inform us of the countries involved.

Chairman: In an ideal world, perhaps we could bring in the Garda vetting people. In reality, if it is to be in the Dáil next week, there will be an opportunity for the matter to be debated. We are doing a worthwhile job this morning in getting the issue to the floor of the Dáil.

Deputy Patrick O'Donovan: That is the most serious of the issues.

Chairman: I agree.

Deputy Patrick O'Donovan: Mr. McGuinness is right and we all know of people reacting

excitedly to some of the media comment. People are potentially only being vetted from the time they arrive in the State, and they could have very serious offences logged against them in a third country. That is very serious.

Mr. David McGuinness: I agree with the Deputy and it is a public safety issue. If we want to create an environment in which the public feels safe using taxis, vetting procedures must apply equally.

Chairman: We shall see where we get in that respect.

Senator Ned O'Sullivan: I welcome the visitors. We have been discussing the taxi legislation in the Seanad for the past week, and there were a number of interesting points and ideas formulated. One or two of the main elements have been covered by Deputy O'Donovan and the Chairman, and I support them totally. They are serious aspects which must be examined by the Garda, regardless of whether the matter is heard in the Dáil next week. The issue will probably have to return to us.

A couple of weeks ago I met a deputation of taxi drivers belonging to a different organisation. There are a number of organisations representing taxi drivers so are they all singing from the same hymn sheet? Is that part of the problem? I suggested that we should introduce a system of taxi marshals, as there are in other major countries, especially at some of the more problematic taxi ranks, such as the rank at the top of O'Connell Street and Dawson Street at night, as well as Heuston Station, which operates in a very unsatisfactory manner from the customer perspective. Do the witnesses consider that useful and would the group be prepared to pay a share of the cost of that for the better organisation and running of taxi ranks and benefit of customers and business?

Mr. David McGuinness: There are approximately five main organisations representing the majority of taxi drivers. Over the past couple of months, co-operation between these organisations has become greater, and a request was made as a result that the other organisations would be allowed to come here today and sit with us while we made our presentation. The majority of the organisations agree on 90% of the issues being raised today. As a result of a meeting last Tuesday, we made representations to the secretary of the committee for other organisations to send a member here today. The proposed legislation has focused the minds of all the organisations to work to the benefit of members and leave personal differences behind. There is greater co-operation as a result.

The Senator mentioned the O'Connell Street rank, which has been ridiculed throughout the country in the media and everywhere else. There was a problem in the location up to approximately two years ago. Our organisation set up meetings with the local superintendent and sergeant in Store Street Garda station, making a number of recommendations on how the rank could work better. A year and a half ago the recommendations were put in practice by the drivers on the rank, and it now operates successfully. There have been race related issues at the rank but a number of our members are from outside of Ireland and work on that rank. Some of the stories are urban myth at this stage and what used to happen does not really happen any more.

This is an example of taxi drivers working with the Garda to sort out issues as they arise. We worked with gardaí in Store Street station to resolve issues relating to the Sackville Place taxi rank at the side of Clery's shop. We contacted the Garda and it was in its interest that we were allocated more spaces as a holding area for taxis, as there had been illegal activity in the area. The illegal practices have now ceased as there is a constant flow of taxi drivers going

through the area. It was an area where one may not have ventured before but taxis are now parked waiting for work. The gardaí in Store Street station worked with us and Dublin City Council in making that holding area.

The marshalling of ranks is a good suggestion. There was also a suggestion that taxi drivers should pay for it. As the National Transport Authority takes in a lot of money every year from the taxi industry perhaps it could fund the provision of marshals on particular ranks.

Deputy Seán Kenny: I welcome the delegation. A new smartphone application will be released soon which will mean that any taxi customer can take the number of the taxi and key it into his or her mobile telephone to verify that the taxi is legitimate and licensed. That customer will also be able to view the driver's photograph. Does the delegation think that is a good idea?

Mr. David McGuinness: We do. We welcome the suggestion but there is a small problem. In the rental sector one is given 24 hours to register a driver for a particular vehicle. One could drive around for six months before being stopped by an enforcement officer and then all one must do is declare that the car was rented that morning. We suggest that if a person rents a vehicle from one of the multi-licence plate holders that the driver is not allowed to take the vehicle from the premises until the National Transport Authority verifies that the driver is legal and has a right to drive a taxi. The introduction of a smartphone application would mean that the process would only take about ten minutes. The current system has been left wide open. A driver can take a car even if he or she is not legally allowed to do so. The person only has to make a declaration when he or she is stopped by an enforcement officer. He or she can then explain that the car was taken out that morning. The multi-licence plate holders are given 24 hours to declare but drivers like myself must register the vehicle or car that we are driving by 1 February.

Deputy Seán Kenny: Does the organisation represent some of the multi-licence plate holders?

Mr. David McGuinness: We do not. We only represent single licenceholders.

Deputy Seán Kenny: Is it a problem for the members of TTnH if a licence is sublet and the person driving the vehicle differs from the photograph shown on the smartphone app?

Mr. David McGuinness: No, it would not be. Some of our members are in the situation where a husband, wife or son, daughter or whatever share a car. Even though there are two registered drivers who drive the vehicle all of the time the second person, the non-owner of the vehicle, must register every time he or she gets into the vehicle.

Deputy Seán Kenny: I thank Mr. McGuinness.

Senator Paschal Mooney: I welcome the delegation. As the Chairman has mentioned, the Bill is going through the Seanad. I am glad that the delegation has clarified the situation with regard to the other organisations. As Senator O'Sullivan has said, we were anxious to establish whether all of the groups sang off the same hymn sheet. I am glad to know that information. We met the Taxi Drivers Alliance and it shares much the same views with TTnH.

I wish to refer to two issues. Perhaps the delegation will expand a little on the first issue. Reference was made to illegal activities, some of which have thankfully been eliminated. What type of illegal activities was the delegation referring to? The Taxi Drivers Alliance indicated to us that there could be upwards of 5,000 illegal taxi drivers operating nationally. The TDA could not be more specific but it did give us that figure. We were not able to establish the type

of illegal activities. Mr. McGuinness referred to them earlier. What type of illegal activities are involved? How do they impact on the legal industry?

One of the issues that arose during the discussion in the Seanad related to the regulator and I shall put the question in context. Everything that we discussed with the TDA related to enforcement. I am sure that the TTnH shares the same view with the TDA that there is a need for enforcement. Unfortunately, only seven enforcement officers can be appointed by the regulator.

Another question arose about the role of the Garda. The Minister of State, Deputy Kelly, shepherded the Bill through the Seanad and I compliment him for being on top of his brief. He said that the conclusions articulated or reflected in the Bill arose out of the review group which includes the Garda. He also said that the Garda are quite happy to see a transfer of powers. The TDA does not seem to view that as a good development and do not want the Garda to be sidelined. The TDA also thought that there would be problems because there are only seven enforcement officers nationally. Can the TTnH comment?

Deputy Terence Flanagan: I welcome the witnesses here. What does the TTnH feel about the new vehicle brand? Will it have a positive effect? Will it eliminate the double jobbing that seems to go on in the sector? Will it lead to people having more confidence that they are hailing a fully regulated taxi? A taxi driver will be concerned that people will recognise that he or she is driving a taxi on his or her day off. That might increase the risk of car break-ins for them. Does the TTnH welcome the measure?

With regard to vehicles, the nine-year rule proved controversial not too long ago. I am sure that it still the case. There are perfectly working and roadworthy cars which are older passing NCTs and other tests. What is the TTnH's opinion of the nine-year rule? Has it greatly improved the standard and quality of vehicles for customers? Perhaps the delegation might comment on fees and outline how much a taxi driver pays the regulator and in other fees for a year. That information would give us an idea of expenditure in that regard.

Deputy Michael Colreavy: I thank the delegation for their statements today. The Minister has had the good vision to allow consumers have confidence in our taxi system while legitimate drivers make a decent living by operating within the necessary rules and regulations. That is a good vision.

I suppose the problem is one of numbers when one boils it down. Evidence in the form of statistical information shows that there is an over supply of taxis. I am a person who uses taxis a fair bit around Dublin and there is a lot of anecdotal evidence, and taxi drivers will say it, that it is getting hard to make a living here. I am not sure that it is just one problem nationally. There is one problem in the big cities and larger towns but there is a different problem in rural areas like the one that I represent. For example, the TTnH suggested that PAYE workers should not be taxi drivers. If PAYE workers were prevented from being taxi drivers then there would no taxis in rural areas. I do not know, and I am seeking advice, but should we closely examine the taxi versus hackney concept? Should there be a different set of rule for a taxi *vis-à-vis* hackney? There are two problems, one in the cities and another in rural areas, and they cannot be solved by the one solution.

The TTnH delegation made very good points and their suggestions would lead to better legislation if they were adopted by the Government. I thank the TTnH for its presentation. I would like to hear its observations. Are we looking at two problems? Is it just one problem? Perhaps the solution could be slightly tailored to suit both.

Chairman: I apologise to the delegation for the large number of questions.

Mr. David McGuinness: First, I shall reply to Senator Mooney's questions on illegal activities in the industry. Most of the illegal activity happens within the rental sector. Focus should be placed on that sector in order to stamp out illegal activity. The Bill contains a recommendation for closer co-operation between Revenue, the Department of Social Protection and the National Transport Authority which will probably go some way to resolve some of the issues.

The portal was mentioned earlier. If it is to be used properly then a renter of a taxi vehicle would not be allowed to take that vehicle on to the street until the NTA has confirmed that he or she has a PSV licence, for a start, and that he or she is a legitimate driver. Better use of the technology that will enter the industry would also sort out some of the illegal activity. There should definitely be more enforcement. We have always campaigned for the Garda to be the primary enforcement agency in the taxi sector. There are only seven people for the whole country. We have had many dealings with the enforcement team. Much of the time its members are caught up in clerical work, so they do not spend a great deal of time out on the streets. If the Garda traffic corps was the lead enforcement agency, it would lead to better enforcement.

The vehicle branding is a controversial issue. There is no more information on the vehicle than there is on the roof sign. Our proposals initially were that one's PSV licence number and one's taxi licence number should be combined. That would lead to a slimmed-down version, and the Garda or enforcement agency would only have to check one number rather than two. The issue for taxi drivers is that the vehicle is a private vehicle. With regard to putting the branding on it, one of our members recently had his vehicle damaged when the licence installer installed the branding incorrectly. He failed the SGS test, went back to the branding licence operator and when he took it off, the paint work was removed from the vehicle. Taxi drivers are concerned that it will lead to a devaluation of their private property. There are suggestions of how that can be fixed but I do not believe the country can afford it at present. There could be VRT or VAT reduction on taxi cars.

On the branding in general, we initially believed that it would probably be the SGS, where we are licensed, that would install the branding. At present, in Dublin city there are 30 or 40 different people branding the cars, all to different standards. It increases price competition but probably 20% to 30% of the drivers who have got their cars branded since branding was introduced were refused a licence when they went to the SGS, because the branding either had not been installed properly or was of insufficient quality. It is a huge issue within the industry. People are getting the branding done but are still being refused licences.

Deputy Terence Flanagan: What is the SGS?

Mr. David McGuinness: The SGS issues the taxi licence. It is a Swedish company, SGS Ireland. There was huge concern within the industry about the nine year rule, but the change whereby people licensed before 1 January this year are allowed to operate their cars for up to 14 years has removed a good deal of pressure. However, there is an issue for people who have to change their vehicles. There is no access to credit from the institutions. The money that is given to the National Transport Authority probably could be used to give low-cost loans to taxi drivers. The drivers' credit rating has probably been ruined over the last few years, as has happened to many people in the country, so they have no options. The money that is received by the National Transport Authority from taxi drivers could probably be used to fund some of the vehicles that need to be changed.

There is a big issue coming down the tracks with regard to wheelchair accessible vehicles. Many of those vehicles were acquired ten to 15 years ago, when the separate wheelchair licences were introduced, and they are now reaching the end of their lives. To put a new wheelchair accessible vehicle on the road costs €40,000 to €50,000. Labour Party policy was that the taxi fleet should be 100% wheelchair accessible by 2020. In the last three years the percentage of wheelchair accessible vehicles went down from 8.6% to 4.3% of the fleet. That will deteriorate further over the next year because many of those vehicles that entered the taxi fleet are coming to the end of their lives. Originally, the wheelchair accessible taxis were to be exempt from the nine and 14 year rules. It was to be the end of life of the vehicle. However, that has been changed, so that will further deplete the fleet of wheelchair accessible vehicles.

Regarding the oversupply in the industry, initially we had a meeting with the Minister of State, Deputy Alan Kelly, in his office. He indicated that the industry needed separate regulations for urban and rural areas. That did not appear in the review body recommendations. On the issue of PAYE workers - and we can only talk about the people we represent - our evidence is that at weekends the people who have a job and an income are destroying our members' livelihoods. According to the last available figure, there were 6,500 PAYE workers with taxi licences. If this issue was tackled in dealing with the overall problem within the industry perhaps people from rural areas might get into the industry, because it would be sustainable if firemen, council workers or whoever else were not operating taxis in rural areas.

Deputy Dessie Ellis: I wish to return to the issue of transferability. It has been a major issue for the industry. The taxi review group indicated that it would not happen, but there appears to have been a change of mind. Will the witness indicate how he thinks that could work? With regard to the taxi review group that drafted the document, the big disappointment from the taxi drivers' point of view was that the ordinary taxi driver was not represented on the group. Others were represented on it, but the individual taxi driver did not seem to get much of a say. The issue here is that the vetting procedure was not properly examined and recommendations were not given in that regard. People are talking about it. In Spain one must be a citizen to become a taxi driver. In other countries, one must be resident for three to five years. That should have been examined. As one of my colleagues mentioned, we should be talking to the Garda as well as the Department about the vetting procedure. It is a big issue for everybody. Will the witness elaborate on the issue of transferability?

Mr. David McGuinness: The recommendation that the licence become non-transferable is seen as unfair within the industry. Most of the people in the industry have paid for the licence. It was always considered an asset, something one might invest in further. However, now that the licence has become non-transferable, one will think "It is not worth anything to me, so I will just plod along." There will never be any extra value put into the investment and there will be no return for it. The big issue with non-transferability is the family situation. In rural areas the taxi is a family business. If non-transferability goes ahead as proposed, the taxi will become defunct on the death of the licenceholder and the individual who works the taxi will have to start the process again, although at present there is a prohibition on the licensing of taxis. I do not know if the Minister or the review body have got it right. They indicated that the non-transferability of the licence is also related to the vetting procedures.

We requested a Deputy to table a question on the non-transferability of the taxi licence and the Minister of State's response was that the underlying principle for this proposal is that a licence should determine a person's suitability to carry out a function and it should not have a monetary value or be traded on the open market. It is not the taxi licence that determines ones

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suitability to drive a taxi, it is the PSV licence. The PSV licence never had a monetary value nor could it be traded on the open market. If that is the reason the legislation is being introduced, it will not achieve its stated objective. The PSV licence in conjunction with the vetting procedures determine suitability to drive a taxi. It is not a requirement to have a driver's licence nor a PSV licence to own a taxi. One can accumulate multiple licences without owning a PSV licence. The reply to the parliamentary question in the Dáil refers particularly to the PSV licence.

Chairman: I thank Mr. McGuinness, chairman, and Mr. Brennan, secretary, of Tiománaí Tacsáí na hÉireann. Members have benefited from this worthwhile engagement which will help them when they discuss the legislation. Many of the points made at this meeting will be raised by Members during the passage of the Bill. Obviously, when we come to discuss Committee Stage of the Bill, we will have another opportunity to take on board the points made. I thank the witnesses for their worthwhile contribution and I thank the members who were present for this discussion.

The joint committee adjourned at 10.55 a.m. until 9.30 a.m. on Wednesday, 20 February 2013.