STATUTORY RULES OF NORTHERN IRELAND

2014 No. 239

ROAD TRAFFIC AND VEHICLES

The Taxi Drivers' Licences Regulations (Northern Ireland) 2014

Made - - - -	*26th September 2014*
Coming into operation	*31st October 2014*

The Department of the Environment, in exercise of the powers conferred by sections 23(2) to (5), 30(1) and (2), 52 and 56(1) of the Taxis Act (Northern Ireland) 2008(**1**), makes the following Regulations.

PART 1

Preliminary

Citation and commencement

1. These Regulations may be cited as the Taxi Drivers' Licences Regulations (Northern Ireland) 2014 and shall come into operation on 31st October 2014.

Interpretation

2. In these Regulations—

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

"the 1996 Regulations" means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(**2**);

"category B vehicle" has the meaning given by regulation 3 of, and Schedule 1 to, the 1996 Regulations;

"examiner" in relation to the practical test of driving skills and behaviour, means an officer of the Department appointed to conduct that test;

"film clip" means a sequence of visual images displayed electronically;

"motor car" has the meaning given by section 23(15) of the Act.

(**1**) 2008 c.4 (N.I.)
(**2**) S.R. 1996 No.542

PART 2

Taxi driver's licences

Application Fee

3. An application for a taxi driver's licence shall be accompanied by—

(a) in the case of a first taxi driver's licence, a fee of £140; or

(b) in the case of a renewal of a taxi driver's licence, a fee of £105.

Grant of a taxi driver's licence

4.—(1) Subject to regulation 21 and section 23 of the Act, the Department shall grant a taxi driver's licence to a person where on application—

(a) for a taxi driver's licence for the first time, the person satisfies the Department that they have passed a test of competence to drive a taxi;

(b) for the renewal of a taxi driver's licence—

(i) in the case where on the date of the application it has been 2 years or less since the date of expiry of their previous taxi driver's licence, the person provides evidence that they have successfully completed the amount of periodic training specified in column (2) of the Table in accordance with the expiry of the licence specified in column (1) of the Table; or

(ii) in the case where on the date of the application it has been more than 2 years since the date of expiry of their previous taxi driver's licence the person—

(aa) satisfies the Department that they have passed the test of competence to drive a taxi; and

(bb) provides written evidence that they have successfully completed the amount of periodic training specified in column (2) of the Table in accordance with the date of the expiry of the licence specified in column (1) of the Table.

(2) In this regulation "periodic training" means attendance at an approved training course delivered by a training provider authorised by the Department for this purpose, for a minimum of 35 hours every 5 years, of which at least 3 ½ hours must be disability awareness training.

Table

Column (1) *taxi driver's licence expires*	*Column (2)* *Periodic Training required*
1st September 2015 – 31st August 2016	Nil
1st September 2016 – 31st August 2017	7 Hours
1st September 2017 – 31st August 2018	14 Hours
1st September 2018 – 31st August 2019	21 Hours
1st September 2019 – 31st August 2020	28 Hours
1st September 2020 onwards	35 Hours (within 5 years immediately preceding the date of application for a taxi driver's licence)

Grant of a duplicate taxi driver's licence to replace lost, stolen, defaced or destroyed taxi driver's licence

5.—(1) If the holder of a taxi driver's licence satisfies the Department that the taxi driver's licence has been lost, stolen, accidentally defaced or destroyed, the Department shall grant to them a duplicate taxi driver's licence for the remainder of the period for which the original was granted, on payment of a fee of £19.00.

(2) In the case of the loss or theft of a taxi driver's licence, if at any time after the issue of a duplicate taxi driver's licence the original taxi driver's licence is found, the taxi driver's licence holder shall return it to the Department or to a police station.

Conditions of taxi driver's licence

6.—(1) If the holder of a taxi driver's licence changes their address, they shall communicate particulars of the change to the Department.

(2) If the holder of a taxi driver's licence is convicted of any offence, or is disqualified under Article 35, 40 or 41 of the Road Traffic Offenders (Northern Ireland) Order 1996(**3**) from holding or obtaining a driver's licence to drive a motor vehicle granted under Article 13(1) of the 1981 Order or under any corresponding law in Great Britain they shall communicate immediately in writing particulars of the conviction or disqualification to the Department.

(3) The holder of a taxi driver's licence shall, if requested by the Department, furnish during the currency of the taxi driver's licence, a medical report, signed by a registered medical practitioner, in such form as the Department may require.

PART 3

Tests

Nature and order of tests

7.—(1) The test of competence to drive a taxi shall be in two parts and shall consist of—

(a) a taxi theory test as set out in regulation 8(1) and (2); and

(b) a practical test of driving skills and behaviour "the practical test" as set out in regulation 8(3) and Schedule 1.

(2) A person taking a test of competence to drive a taxi must—

(a) pass the taxi theory test before they take the practical test; and

(b) shall not be entitled to apply for an appointment for a practical test until they have been furnished with a valid taxi theory test pass certificate.

Content of tests

8.—(1) The taxi theory test shall consist of—

(a) a test of driving theory as set out in Schedule 2 which shall be conducted by means of data recorded on equipment operating in response to instructions given to the candidate; and

(b) a hazard perception test as set out in paragraph (2) which must be taken immediately following the conclusion of the test of driving theory.

(2) The hazard perception test shall—

(**3**) S.I. 1996/1320 (N.I. 10)

(a) be conducted by means of the exhibition of film clips that take the perspective of the driver of a taxi and show, at some point during the film clip, one or more hazards to traffic occurring on or near the road; and

(b) require the candidate to indicate during each film clip the moment they observe a hazard relating to traffic on the road using electronic equipment provided for the purpose and capable of recording the exact moment of each response.

(3) The practical test shall, in so far as possible, be conducted on both urban roads and on roads of different classes outside of built up areas and a candidate must satisfy the examiner that they have a good knowledge of the principles of good driving and road safety and that they can apply them in practice.

(4) The candidate shall, during the practical test, allow to travel in the vehicle the examiner and any person authorised by the Department to attend the test for the purposes of supervising it or otherwise.

Passing the tests

9.—(1) A person shall be treated as having passed the taxi theory test if they satisfy the person conducting the test—

(a) in respect of the test of driving theory, of their knowledge and understanding of specified matters set out in Schedule 2; and

(b) in respect of the test of hazard perception, their performance in the test demonstrates an ability to perceive hazards on the road.

(2) A person shall be treated as having passed the practical test if they satisfy the examiner of their ability to drive safely and to comply with the specified requirements set out in Schedule 1.

Applications for a taxi theory test

10.—(1) An applicant wishing to take a taxi theory test shall—

(a) have held a licence to drive a category B vehicle for at least 3 years;

(b) apply for an appointment to the person conducting the test;

(c) provide that person with such details relating to themselves, the licence which they hold, the preferred location of the test, and the nature of the test to be taken as that person may reasonably require; and

(d) pay the fee specified in regulation 11.

(2) Upon receipt of such details and such fee the Department shall make arrangements necessary for the taking of the appropriate test.

(3) An applicant may have only one appointment at a time.

Fee for a taxi theory test

11. The fee payable on application to the Department for a taxi theory test shall be £34.00.

Applications for a practical test

12.—(1) An applicant wishing to take a practical test shall—

(a) have held a licence to drive a category B vehicle for at least 3 years;

(b) apply for an appointment for such a test to the Department;

(c) provide the Department with such details relating to themselves, the licence which they hold, the preferred location of the test, the nature of the test and the vehicle in which the test is to be taken as the Department may reasonably require; and

(d) pay the fee specified in regulation 13.

(2) Upon receipt of such details and such fee the Department shall make the arrangements necessary for the taking of the appropriate test.

(3) An applicant may have only one appointment at a time.

Fee for a practical test

13. The fee payable on application to the Department for a practical test is—

(a) £60.00 where a test commences at any time between 8.30am and 4.30pm during the days Monday to Friday, and:

(b) £90.00 where a test commences at any other time.

Cancellation of tests and refund of fees

14.—(1) For the purposes of cancelling an appointment for—

(a) a practical test, notice must be given to the Department not less than 3 working days before the day for which the appointment is made;

(b) a theory test, notice must be given not less than 3 working days before the day for which the appointment is made.

(2) A fee paid in accordance with regulation 11 or 13 shall be repaid if—

(a) no appointment for a test is made or the appointment made is subsequently cancelled by the Department;

(b) notice of cancellation is give in accordance with paragraph (1);

(c) the person for whom the appointment is made keeps the appointment but the test does not take place, or is not completed, for reasons attributable neither to that person nor to the vehicle in which the test was to take place; or

(d) the person for whom the appointment is made satisfies the Department that they cannot, or, as the case may be, could not reasonably be present for testing on the date of the appointment due to exceptional circumstances occurring not more than 7 days before the said date and of which notice is given within 3 working days of the occurrence thereof to the Department.

(3) In this regulation "exceptional circumstances" means an accident, a 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).

Evidence of result of taxi theory test

15.—(1) A person conducting the taxi theory test shall furnish—

(a) a person who passes the test with a taxi theory test pass certificate in the form set out in Part 1 of Schedule 3;

(b) a person who fails to pass the test with a taxi theory test failure statement in the form set out in of Part 2 of Schedule 3.

(2) Where a person who has conducted a taxi theory test is satisfied that a taxi theory test pass certificate or a taxi theory test failure statement has been furnished in error to a person who took a taxi theory test, they shall, upon receipt of that certificate or statement from the person who took