

## **WHEELCHAIR ACCESSIBLE VEHICLE GRANT SCHEME 2023 (WAV23)**

### **INFORMATION GUIDE FOR WAV23 GRANT SCHEME APPLICANTS**

This document is not a legal document and does not purport to be a legal interpretation of the relevant legislation

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## 1. Definitions

**"2013 Act"** means Taxi Regulation Acts 2013 and 2016;

**"Applicant"** means a person (individual or a company with a designated driver proposed) who signs the application form for the Wheelchair Accessible Vehicle Grant Scheme (form WAV23A);

**"Approved Applicant"** means an Applicant who receives a Provisional Grant Letter;

**"Company"** means a company formed and registered under the Companies Act;

**"de minimis Regulation"** means Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352, 24.12.2013 p 1-8);

**"Excluded Aid"** has the meaning given to it in the de minimis Regulation;

**"Grant"** means the sum or sums of money being made available by NTA to the Approved Applicant pursuant to, and in accordance with, the Provisional Grant Letter and these Terms and Conditions;

**"Maximum Available Amount"** means, in your case, the difference between:

- a) two hundred thousand euro (€200,000); and
- b) the aggregate of any de minimis aid granted to you during this financial year and the immediately previous two (2) financial years (whether in accordance with the de minimis Regulation or any other EU de minimis regulations, including but not limited to Regulation 360/2012);

**"Owner"** means, in relation to a Wheelchair Accessible Vehicle, any of:

- a) the Registered Owner of the Wheelchair Accessible Vehicle; or
- b) the person whom a member of An Garda Síochána or an officer of NTA can reasonably ascertain keeps or has possession or charge or control, whether actual or constructive (including arising from a leasing or similar arrangement) of the Wheelchair Accessible Vehicle;

**"Provisional Grant Letter"** means a letter in which NTA offers to make available to the Approved Applicant a Grant subject to certain conditions;

**"Recipient"** means an Applicant who receives or is in the process of receiving a Grant;

**"Service" or "Services"** means the carriage or intended carriage for reward of persons who travel while seated in a wheelchair, and other persons travelling with such person, in accordance with the SPSV Regulations;

**"Services Period"** means the aggregate of:

- a) the period of thirty-six (36) months from the date of issue of the Grant to the Recipient's nominated bank account; and
- b) to the extent which paragraph 9 applies, the period during which the Wheelchair Accessible Vehicle is not being used in the provision of Services;

**"Small Public Service Vehicle"** or **"SPSV"** has the meaning assigned to it by section 2 of the Taxi Regulation Acts 2013 and 2016;

**"SPSV Regulations"** means the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 and 2016;

**"SPSV Driver Licence"** means a licence to drive an SPSV granted to an individual in accordance with the SPSV Regulations;

**"Tax"** means any tax, levy, impost, duty or other charge or withholding of a similar nature (including any penalty or interest payable in connection with any failure to pay or any delay in paying any of the same);

**"WAV"** means a wheelchair accessible taxi or a wheelchair accessible hackney (having the meanings assigned in accordance with the SPSV Regulations) or a wheelchair accessible limousine;

**"Wheelchair Accessible Vehicle"** means a wheelchair accessible taxi or a wheelchair accessible hackney (having the meanings assigned in accordance with the SPSV Regulations) or a wheelchair accessible limousine;

**"Wheelchair Accessible Vehicle Licence"** means a licence granted in accordance with the SPSV Regulations in respect of a Wheelchair Accessible Vehicle;

**"Working Day"** means a day (other than a Saturday or Sunday or public holiday) on which banks are open for general business in Ireland.

## **2. Background**

- 2.1 The legislative background, against which the National Transport Authority operates, in the area of small public service vehicle regulation, incorporates the Taxi Regulation Acts 2013 and 2016 (2013 Act), the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (SPSV Regulations) and ancillary legislation.
- 2.2 The key objectives of the 2013 Act include the promotion of a quality service by small public service vehicles and their drivers and the promotion of access to small public service vehicles by persons with disabilities.

## **3. Duration of Scheme and Funding Level**

- 3.1 The WAV23 Grant Scheme commences on **01 January 2023** and applications will be considered on a first received basis, subject to an application being satisfactorily completed.
- 3.2 The last date for the receipt by NTA of applications for the Grant Scheme is **30 November 2023** or when the funding is expended whichever is the earlier. However, if the allocated funding is committed to payments and provisional offers to applicants at an earlier date, a waiting list will operate on a first received basis until the closing date is reached or the funding is spent, whichever is the earlier.

The closing date for the WAV23 Grant Scheme is **15 December 2023**, meaning

- a) the proposed wheelchair accessible vehicle must have passed its initial suitability test and have received a licence; and

- b) the proposed driver must have completed an NTA approved course on disability awareness training specific to SPSVs,

by **15 December 2023** in order to qualify for the Grant.

While initially there will be no regional distribution or other limits/criteria, NTA reserves the right to introduce appropriate limits/criteria throughout the duration of the scheme.

#### **4. Who can Avail of the Scheme?**

4.1 The scheme is available nationwide to:

- Persons (individuals or companies) applying for new SPSV licences;
- Existing wheelchair accessible vehicle licence holders who wish to upgrade their current wheelchair accessible vehicle with a replacement wheelchair accessible vehicle; and
- Existing operators who wish to exchange their standard taxi licence for an wheelchair accessible taxi licence either on conversion of their current vehicle or the purchase of a wheelchair accessible vehicle (retaining the limited future right to swap back).

4.2 NTA shall reject an application if:

- the Applicant previously received a Grant in respect of the same wheelchair accessible vehicle;
- the wheelchair accessible vehicle which is the subject of the Grant application, has previously been licenced as a WAV in the name of that Applicant; or

- the wheelchair accessible vehicle which is the subject of the Grant application, has previously received grant funding within the last three (3) calendar years.

## 5. Prior to Application

### 5.1 Applicants are advised to:

- Research the availability and cost of vehicles that meet the required measurements, standards and age for the Grant (see Information Guide G1 (Applying for a new SPSV licence) or G6 (Changing a vehicle) available on our website ([www.nationaltransport.ie](http://www.nationaltransport.ie)). **Please do not buy a vehicle before you receive a Provisional Grant Letter from NTA.**
- Get several insurance quotes for SPSV use, for the carriage of passengers for hire or reward for the proposed type of licence, i.e. wheelchair accessible SPSV services.
- Read and understand the law for priority services to be provided to persons with a disability.

## 6. Level of Grant

The levels of grant payable by NTA are as follows:

- |   |         |
|---|---------|
| • New Wheelchair Accessible Vehicle (<3,000kms and <3 months old) | €17,500 |
| • Wheelchair Accessible Vehicle less than one year of age         | €17,000 |
| • Wheelchair Accessible Vehicle less than two years of age        | €14,000 |
| • Wheelchair Accessible Vehicle less than three years of age      | €13,000 |
| • Wheelchair Accessible Vehicle less than four years of age       | €9,000  |
| • Wheelchair Accessible Vehicle less than five years of age       | €5,000  |
| • Wheelchair Accessible Vehicle less than six years of age        | €4,000  |

## **7. Scheme Requirements**

### **7.1 The Applicant must:**

1. have and maintain tax cleared status;
2. have no prosecutions or complaints (in respect of SPSV operation) upheld against them in the 24 months preceding the application date and have no prosecutions or complaints (in respect of SPSV operation) in progress while completing the application process;
3. the applicant or the proposed driver must undertake an NTA approved SPSV related disability awareness training course. This will also be made available free of charge from NTA (see 8 below);
4. agree to register their contact details on a public website or free smartphone booking application nominated by NTA for the priority provision of the Services;
5. obtain and maintain SPSV insurance as set out in the Taxi Regulation Acts 2013 and 2016 and the SPSV Regulations or subsequent legislation;
6. ensure that the proposed vehicle complies with the standards established for wheelchair accessible vehicles as set out in the SPSV Regulations;
7. be the registered owner of the proposed vehicle, or be legally entitled to the use and possession of the proposed vehicle (such as a lease or hire purchase agreement) for a period of not less than 12 months from the date of the application;
8. limit their number of applications to ten; and



9. submit journey diaries (WAV23J) to NTA at six monthly intervals during the Services Period.

## **8. Approved Disability Awareness Training**

It is a condition of receipt of any portion of the Grant that the Applicant, or where the Applicant is a company or not the proposed driver, the proposed driver, must either undertake the free half day SPSV specific disability awareness training provided by NTA or provide evidence that they have completed a SPSV specific disability awareness training course during the three years prior to the application date. Any driver of a WAV23 Grant assisted vehicle must be able to prove that such a course has been completed.

*No Grant will be released by NTA without having received confirmation of successful completion of such a course in a manner satisfactory to NTA.*

## **9. Repayment of Grant by the Recipient to NTA**

The Grant will be required to be repaid to NTA under the following circumstances:

- Where the Service is not being delivered in accordance with the licensing conditions;
- Where records of booking and journey diaries (WAV23J) as per this Scheme and the SPSV Regulations are not provided to NTA, six monthly or within ten working days of a request from NTA;
- Where the vehicle licence falls inactive at any point during the following the Service Period;

- Where the applicant sells or changes the vehicle within the Service Period; or
- Where the Wheelchair Accessible Vehicle licence holder swaps back to a standard taxi licence within the Service Period.

## 10. Application Process

There are essentially six steps to the application process:

- 10.1 Check that as an Applicant you fulfil the criteria set out at section 7 and ensure you read and understand the Terms and Conditions of the WAV23 Grant Scheme (available on the "Forms and Guides" section of our website [www.nationaltransport.ie](http://www.nationaltransport.ie)). Research appropriate vehicles and ensure both the vehicle and appropriate insurance cover will be available.

Submit an online application for WAV23 via the "Forms and Guides" section of the National Transport website (<https://www.nationaltransport.ie/taxi/forms-and-guides/>).

Applications must be received by **30 November 2023**. However, if the allocated funding is committed in payments and provisional grant letters to applicants at an earlier date, a waiting list will operate until the closing date is reached or the funding is spent, whichever is the earlier. Applications will be processed on a first received basis.

If successful, a Provisional Grant Letter, including a copy of the Terms and Conditions (also available on our website), will issue to the Applicant. This Provisional Grant Letter is valid until the earliest of 3 calendar months, **15 December 2023** or the funds are expended.

If your application is unsuccessful we will contact you to provide the reason. You may need to submit further information, so please allow plenty of time for this possibility and subsequent additional processing.

**We would strongly urge you not to purchase a vehicle prior to receipt of a Provisional Grant Letter.**

- 10.2 Should you receive a Provisional Grant Letter, you are required to arrange to have a Technical Assessor's Full Report completed on your proposed vehicle and submit it with a new vehicle licence application form (VL1) to:

*WAV23 Technical Assessors Report,  
National Transport Authority,  
PO Box 436,  
City North Business Park,  
Tuam Road,  
Galway*

The correct versions of the new vehicle licence application form (VL1), Technical Assessor's Full Report Template and Guidance Notes, together with our Information Guides in relation to the Initial Suitability Inspection for WAV inspections, provide relevant information and identify where further details can be obtained from the "Guides and Forms" section our website at [www.nationaltransport.ie](http://www.nationaltransport.ie).

It can take 10 working days from submission for NTA to review your documents. When this is completed, you will be contacted informing you of the next steps, this could be a request for further information or you may be invited to book a vehicle inspection and start the normal vehicle licensing process. Please do not call to book an inspection before this step is completed.

Where you have any queries as to the required technical standards or vehicle test data necessary, please refer to Guide G1 (Applying for a new SPSV licence) or G6 (Changing a vehicle) available on [www.nationaltransport.ie](http://www.nationaltransport.ie) or contact the WAV Technical Adviser at NTA – 01 879 8300.

- 10.3 Once a Technical Assessor's Full Report has been approved by NTA for the proposed vehicle, we will send you details of your scheduled appointment for free disability awareness training. If you wish to cancel or reschedule your training for free you will have to do this within 7 working days from the issue date on the appointment letter. You will have to wait for another available training slot and this may result in a delay with your Grant payment. Should you reschedule later than 7 working days from the issue date on the appointment letter, or fail to attend at the time appointed, a fee of €50 will be payable by you on the day of your rescheduled training.

Any proposed driver for your vehicle must have completed an NTA approved disability awareness training programme as part of the Terms and Conditions for the Wheelchair Accessible Vehicle Grant Scheme 2023.

- 10.4 Book an Initial Suitability Inspection at one of the network of SPSV inspection centres for the proposed vehicle (Information and Booking Line - 0818 06 4000)
- 10.5 Once the vehicle has been licensed, forward your completed Grant Payment Request Form, supplied with your Provisional Grant Letter to:

*WAV23 Payment,  
National Transport Authority,  
PO Box 436,*

*City North Business Park,  
Tuam Road,  
Galway*

10.6 Once NTA confirms that all information provided is acceptable, the Grant monies will be issued to your nominated bank account within 20 Working Days.

## **11. How to Apply for a Wheelchair Accessible Vehicle Grant**

Before filling out the online application form, please ensure you have the following to hand:

- PPS number (individual) or company tax reference number (please note you must be tax cleared to be eligible for the WAV23 grant);
- SPSV driver licence details and/or SPSV licence details (where applicable);
- Where SPSV specific disability awareness training has been completed by the proposed driver in the preceding 3 years, a copy of the certificate of completion, including the date of completion and course provider details.

In completing the application form, you should be aware of the following:-

- The name on the online application needs to match your name with Revenue exactly or the application will be rejected automatically.
- The Applicant accepts that NTA reserves the right to reject/approve an application for a Grant under the Scheme.
- The Applicant grants permission to NTA to verify any and all information provided on or with the application form.

- The Applicant accepts that if they submit an incomplete application, it will be rejected and that they will be required to re-apply.
- Any Provisional Grant Letter is valid until **the earliest of** 3 calendar months from the date of issue, the closing date of the Scheme or the allocated funds are depleted.
- It is the Applicant's responsibility to notify NTA of any change of contact details.
- The Applicant's agreement with NTA in the event of a Provisional Grant Letter being accepted will comprise the Provisional Grant Letter, the Terms and Conditions, the payment request form, the training certificate and the completed application form. The Applicant shall comply with and agrees to be bound by the provisions of that documentation. NTA will use the information provided for the purpose of administering the SPSV licensing system and in order to perform the functions assigned to NTA by the Taxi Regulation Acts 2013 and 2016 and the SPSV Regulations including the maintenance of a public register of SPSVs and licenced drivers. This public register feeds into our public safety Driver Check App which includes driver photographs. Information provided will be shared with certain authorised third parties where necessary in order to carry out our functions and for the purposes of law enforcement. NTA is registered with the Office of the Data Protection Commissioner and all information sharing will be performed in accordance with the Data Protection Act 2018.
- In the event of any breach by the Applicant/Recipient of the Terms and Conditions of the WAV23 Grant Scheme, NTA shall, among its remedies against the Applicant, be entitled to demand the repayment of the Grant in full or pro-rata, as appropriate, and the Recipient agrees to comply with any such demand within one month of the date of the letter from NTA containing such demand.
- NTA reserves the right to review or supplement the Terms and Conditions of the Scheme after the Applicant's submission of an application and shall not incur any liability for such revision or supplementation.

## **12. Compliance**

NTA's Compliance Officers will follow up directly with every WAV23 Recipient to ensure that the vehicle is being used to provide the Services appropriately. To assist in this service supervision, a blank journey diary (WAV23J) will be issued with confirmation of payment. This documentation shall be completed by the Recipient in full and returned to NTA every six months for the duration of Services Period or within ten working days of a request from NTA.