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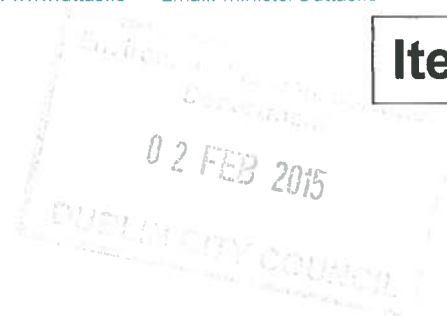
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Item No. 5

30 January 2015

**Mr Stephen Hickey
Senior Staff Officer
Administration/Traffic Advisory Group
Environment and Transportation Department
Dublin City Council
Civic Offices
Wood Quay
Dublin 8.**



Dear Mr Hickey

I refer to your letter of 4th November 2014 in relation to the regulation of rickshaws.

The advice of your Law Department and your request that some provision be made in primary legislation to regulate the provision of rickshaws is noted.

As you are aware it is a requirement that a Regulatory Impact Assessment be prepared to accompany any proposal to Government seeking permission to regulate through primary legislation. As rickshaws are a local matter it is appropriate that Dublin City Council prepare such an assessment. Implicit in this process is a requirement to set out clearly the objective of the proposed legislation and a comparative cost/benefit analysis of the options.

It is expected that such analysis would also include an assessment of the measures that could be adopted within the confines of the existing bye-law making powers of local authorities. It is noted that such powers are already deployed for the purposes of regulating horse drawn carriages and imposing requirements relating to public liability insurance, tax-compliance and Garda clearance. Consideration should, in any event, be given by the Council to adopting measures based on existing regulatory powers. The design and delivery of new primary legislation in any less than a twelve month timeframe is unlikely.

Any proposal relating to primary legislation should also ideally take into account of whether any constraints over the bye-law making powers of local authorities are specific to rickshaws or include also other activities that require regulation. This is clearly critical in determining whether any proposal for primary legislation should be dealt with as a matter of road traffic legislation or the wider local government legislation.

Yours sincerely

A handwritten signature in black ink that reads "Paschal Donohoe". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Paschal Donohoe, T.D.,
Minister for Transport, Tourism and Sport

cc Mr. Alan Kelly, T.D., Minister for the Environment Community and Local Government
