

## **Hackney Carriage Vehicle Conditions**

### **Local Government (Miscellaneous Provisions) Act 1976**

1. The vehicle licence will remain in force for a period of one year after payment of the relevant fees and satisfactory test by the Council's officially approved garage.
2. **Vehicle Specification and Age Policy**
  - a) Subject to paragraph 2c below, no vehicle shall be licensed other than in accordance with the current age policy of 7 years for first licensing, and not licensed after 10 years as a maximum age if first licensed by the Council after April 2002.
  - b) Every vehicle over 5 years of age on the anniversary of its first registration date must submit to 2 tests per annum.
  - c) Any vehicle submitted for first testing over 7 years of age and those over 10 years of age first tested by the Council after April 2002 must qualify within the exceptionally well maintained criteria to be licensed.
3. **Vehicle Specification Policy**
  - a) The vehicle must have a minimum of 4 doors.
  - b) The vehicle must have a nominal engine rating of not less than 1.3 litres.
  - c) The vehicle must have rear seat accommodation with a minimum length along the front outside edge of each seat of 40 cm per seat.
  - d) Any vehicle with a ground to top of sill measurement on any door of 40 cm or over must provide a suitable means of access and egress if required.
  - e) The vehicle must have sufficient space for luggage commensurate with the numbers of passengers it is authorised to carry.
  - f) No luggage may be carried on the roof unless carried in an approved enclosed securely fitted device or secured to factory fitted roof rails.
  - g) If the vehicle is an estate car then, whilst carrying luggage, a grille or securely fitted net or manufacturer's properly fitted parcel shelf must be fitted to prevent the luggage coming into contact with passengers in the event of an accident.
  - h) No permanent material alterations or changes in the vehicle specification, design or conditions shall be made without the approval of the Council whilst the vehicle licence is in force. Seats may be removed temporarily to facilitate comfort of passengers, but no seats may be added.
  - i) All seats must be either forward or rearward facing.
  - j) The vehicle must be right hand drive.

#### **4. Maintenance**

- a) The vehicle and all its fittings and equipment shall at all times when it is in use or available for hire be kept in a clean, tidy, efficient and safe condition.
- b) The body trim and bodywork must be uniform and free from any significant rust or damage. Non alloy wheels must be fitted with matching wheel trims.
- c) The paintwork must be a good match with no 'egg shell' finish or different shades or colours.
- d) The upholstery and carpets shall be kept clean and in good repair.
- e) Every proprietor shall keep records of servicing frequency, including dates and mileages, and shall make those records available if required.

#### **5. Plate**

- a) The vehicle licence plate provided by the Council identifying the vehicle as a hackney carriage vehicle shall be affixed to the outside of the vehicle on the rear and kept clean and clearly visible at all times.
- b) The plate shall be capable of being removed by a Police officer or officer of the Council should the licence be revoked or suspended after written notice of such is served on the owner and in any case within 7 days of such notice.
- c) Whilst the vehicle is being used for private or domestic use, the plate, roof sign and/or door sign shall be removed or covered from public view.

#### **6. Change of Details**

- a) The proprietor shall, within 7 days of any change of address of the place where the vehicle is kept when not in use, notify the Council's licensing section in writing of such change.
- b) If the proprietor wishes to transfer the licence to another person he must first obtain the written consent of the Council which will not be unreasonably withheld.

#### **7. Trailers**

- a) Any trailer used for the conveyance of luggage shall first be submitted for testing at the same time as the vehicle.
- b) The trailer shall be fully covered for protection against wind and rain penetration and secured for the protection of the luggage carried.
- c) The trailer must be covered by a policy of insurance.
- d) The trailer must display a duplicate hackney plate to the rear.
- e) The trailer shall be of an approved type indicating:
  - i) unladen weight
  - ii) gross weight

- iii) manufacturer's details
- iv) suitably braked

## **8. Interior Markings**

The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein:

- a) the plate number of the vehicle and number of passengers prescribed in the licence;
- b) a current table of fares and charges;
- c) a sign in words or picture indicating that passengers should refrain from smoking in the vehicle.

## **9. Insurance**

- a) During the currency of the licence the proprietor shall keep in force in relation to the use of the vehicle a policy of insurance which covers third party liability both in respect of damage to persons and personal belongings.
- b) Should the said certificate of insurance or cover note lapse, the proprietor shall within 7 days produce a valid certificate to the Licensing Section of the Council. Failure to produce such without reasonable excuse may result in immediate suspension of the vehicle licence.

## **10. Passengers**

- a) The number of passengers carried shall not exceed those prescribed in the licence.
- b) Any child 3 years or over shall be deemed a passenger in a hackney carriage for the purpose of seat occupancy within the limitations of the licence requirement. A child under 3 years of age shall not occupy a front passenger seat.
- c) Every passenger carrying seat shall be provided with a suitable seat belt or other restraining device.

## **11. Safety Equipment**

- a) Fire Extinguisher

There shall be provided and maintained in every hackney vehicle a suitable and efficient fire extinguisher securely positioned for use in an emergency of at least 0.9 Kilo of type dry powder for cars with 4 passenger seats or less and aqueous film forming foam (AFFF) extinguisher of 2.0 Kilos for minibuses and similar vehicles complying with EN3 standard. The vehicle plate number shall be permanently marked thereon.

- b) First Aid Kit

A suitable first aid kit containing appropriate first aid dressings and other appliances shall be carried in the vehicle to be available for immediate use in an

emergency. The vehicle plate number shall be permanently marked thereon.

## **12. Signs**

- a) The vehicle shall display when plying for hire either:
  - i) a roof sign displaying the words 'Taxi' or 'Hackney Carriage', operating name or telephone number; or
  - ii) an illuminated sign bearing the words 'For Hire' indicating the vehicle is for hire.

## **13. Radio/Telephone**

- a) Any radio microphone installed in the vehicle shall be fitted in such a position that its use by the driver would not impair his control of the vehicle when it is in motion.
- b) Any mobile phone used by the driver whilst the vehicle is in motion must be a hands free unit.

## **14. Advertising**

Any advertising in or on the vehicle ancillary to the legal requirements of licensing must have the prior written approval of the Council.

## **15. Taximeter**

The vehicle shall be provided with a taximeter which must be so attached and maintained as to:

- a) be appropriately set to ensure that the Council's hackney carriage fare scale currently in force is recorded thereon.
- b) The taximeter shall be so placed that all letters and figures on the face are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
- c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance/time.
- d) The taximeter shall be affixed to the vehicle with seals or other appliances so that it shall not be practicable for any person to tamper with them except by breaking damaging or displacing the seals or other appliances.
- e) Such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter.

## **16. Taximeter Usage**

- a) For every such journey the taximeter must be engaged at the commencement of

the journey and not more than is displayed on the meter at the end of the journey can be charged.

- b) The fare is negotiable with the hirer and, if no negotiation is entered into with the hirer, no fare greater than that displayed on the meter can be charged. If a fare is negotiated then the meter must be engaged.
- c) A taxi used for private hire purposes must use the meter from the point of pick up to the end of the journey.

## **17. Change of Address**

The proprietor of any hackney carriage shall notify the Council in writing of any change of his address during the period of the licence within 7 days of such change taking place.

## **18. Convictions**

The proprietor of a hackney carriage vehicle shall within 14 days disclose to the Council in writing details of any convictions imposed on him or partners/directors of the company, during the period of the licence. This includes fixed penalty tickets or police administered cautions.

## **19. Vehicle Replacement (Emergency Licensing)**

When a licensed hackney carriage is unserviceable due to road accident damage or major mechanical failure, a replacement vehicle may be used for a maximum of 7 days if the following criteria are met:

- a) the replacement vehicle has been subjected to an MOT test within the last 28 days;
- b) the replacement vehicle has a calibrated taximeter fitted, fire extinguisher and first aid kit;
- c) the replacement vehicle complies with the current age policy;
- d) the licensed vehicle is booked into the Council's authorised testing station and, owing to exceptional circumstances, cannot be completed within 7 days.

## **20. Animals**

- a) Guide dogs, hearing dogs or other assistance dogs must be carried unless the driver has a medical exemption certificate.
- b) Household pets may be carried if accompanied by an adult, the pets are suitably restrained or contained unless there is a reasonable excuse for not doing so.

## **21. Accidents**

The proprietor of any hackney carriage shall report to the Council as soon as practicable, and in any case within 72 hours in writing on the appropriate form, any accident or vehicle damage materially affecting the safety, performance or appearance

of the vehicle or the comfort or convenience of hirers.

## **22. Change of Conditions**

After due consultation the Council may at any time add, delete or alter any of the foregoing conditions and upon notice of them having been served upon the owner such additions, deletions or alterations shall as from the date stated in such notice be deemed to be incorporated in these conditions. Any notice required to be served by the Council under Paragraph 22 or under any legislation provision shall be deemed to have been properly served if sent by them by prepaid post to, or left at, the last known address.

These licence conditions are effective from 1 September 2002.