

## **Private Hire Driver Conditions**

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

#### **1. Driver Identification**

- a) The driver shall at all times when acting as a private hire vehicle driver wear or display his identity badge in a prominent position or in a manner in the vehicle so as to be plainly and distinctly visible to passengers.
- b) The licence holder may not in any circumstances assign it or in any way part with the benefit thereof to any other person.
- c) The driver of a private hire vehicle shall, when on duty and required to do so by an authorised officer of the Council or any Police Officer, produce their badge immediately. The driver shall, upon expiry without immediate renewal, revocation or suspension of this licence, forthwith return the badge to the Council. Applications for renewals received after 28 days shall be treated as new applications.

#### **2. Use of Taximeter**

- a) The driver of a private hire vehicle provided with a taximeter calibrated to the current Council approved tariffs shall, as soon as the vehicle is hired by distance and before beginning the journey, bring the machinery of the taximeter into operation until the termination of the hiring.
- b) If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).
- c) The driver shall not tamper with any part of the seals or mechanisms of the taximeter equipment.

#### **3. Fares**

- a) The driver shall not demand from any hirer of a private hire vehicle a fare in excess of the fare shown on the face of the taximeter or any previously agreed fare (which must not exceed the taximeter fare). The driver must confirm prior to the commencement of the journey the name of the hirer, the destination and the cost of the journey.
- b) The driver shall, if requested by the hirer of a private hire vehicle, provide him with a written receipt for the fare paid.

#### **4. Shortest Route**

The driver of a private hire vehicle shall not, without reasonable cause, unnecessarily prolong in distance or time the journey for which the private hire vehicle has been hired.

#### **5. Acceptance of Hiring**

The driver shall not, whilst driving or in charge of a private hire vehicle, ply for hire or otherwise:

- a) tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
- b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
- c) offer the vehicle for immediate hire whilst the driver is on the road, public place or private property.

## **6. Grant and Period of Licence**

- a) The Council shall grant a private hire driver licence for a period of not less than 12 months or other such period as the Council may determine after the due administration process has been completed.
- b) The driver shall provide a medical certificate signed by a Medical Practitioner on initial application and every 3 years on renewal as requested by the Council and, on reaching 70 years of age, thereafter annually.
- c) A driver shall be at least 19 years of age, have held a full DVLA licence for 12 months and have no more than 6 penalty points on that licence.

## **7. Passengers**

- a) The driver shall not cause or permit to be carried in any private hire vehicle a greater number of persons than that specified in the licence for that vehicle.
- b) The driver of a private hire vehicle shall not permit any other persons to be conveyed in the vehicle without the express consent of the first hirer.
- c) Any child 3 years or over shall be deemed a passenger in a private hire vehicle for the purpose of seat occupancy within the limitations of the licence requirement.

## **8. Radio/Mobile Phone**

- a) The driver shall not, without the express consent of the hirer, play any radio or sound producing device in the vehicle or use such device to be an annoyance or source of nuisance to any person whether inside or outside the vehicle.
- b) The driver shall, if using a mobile phone, use that equipment only by means of a hands free device whilst driving the vehicle.

## **9. Conduct of Driver**

The driver of a private hire vehicle shall:

- a) at all times be clean and respectable in his dress and behave in a civil and orderly manner;
- b) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from, the vehicle driven by him;

- c) not eat or drink whilst conveying fare paying passengers;
- d) not consume any alcohol whilst on duty and ensure that he/she complies with statutory legislation in relation to driving under the influence of alcohol.

#### **10. Assistance with Luggage**

The driver of a private hire vehicle constructed to carry luggage shall:

- a) be willing to convey a reasonable quantity of luggage;
- b) afford reasonable assistance in loading and unloading the vehicle;
- c) afford reasonable assistance in removing luggage to or from the entrance of any building, station or place at which they take up or set down a person.

#### **11. Prompt Attendance**

The driver of a private hire vehicle shall, if they are aware that the vehicle has been hired, be in attendance at an appointed time and place punctually at that time and place, unless delayed or prevented by reasonable cause.

#### **12. Smoking**

The driver of a private hire vehicle shall not, without the consent of the hirer, smoke whilst carrying fare paying passengers. (The Council is mindful that passengers should be conveyed with minimum inconvenience and in an environment conducive to the best possible standards of health and hygiene). A driver may request a passenger not to smoke in the vehicle.

#### **13. Lost Property**

The driver of a private hire vehicle shall, immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left. Any property found shall be returned to the hirer or handed into the nearest Police Station within 24 hours.

#### **14. Animals**

- a) The driver shall allow to be carried any guide dog, hearing dog or other assistance dog in the vehicle at no extra cost unless the driver has an approved medical exemption certificate.
- b) The driver may carry at his discretion other domestic animals or pets which are suitably restrained and accompanied by an appropriate adult unless there is a reasonable excuse for not doing so.

#### **15. Licence Plate**

- a) The driver shall not wilfully or negligently cause or suffer any licence plate to be concealed from public view whilst the vehicle is being used for the purpose of public hire.

- b) The driver shall keep the plate clean so as to be legible at all times.
- c) The driver shall keep the vehicle clean and tidy whilst being used as a private hire vehicle.

## **16. Driver Health**

The driver of a private hire vehicle must inform the Council without delay about the onset or change or worsening of any health condition which is likely to cause them to be a source of danger to the public when driving either now or in the future. Examples include high blood pressure, angina, diabetes, vision disorder, fainting, blackouts, drug taking or alcoholism.

## **17. Convictions**

- a) A driver shall report any result of a Court decision against him either by way of conviction fine or fixed penalty. This includes any official caution administered by the Police. Such information shall be notified to the Council in writing within 14 days of the occurrence and may not be delayed until the next application of renewal.
- b) Any driver who has penalty points endorsed to their DVLA driver's licence may be subject to a requirement to take a Driving Standards Agency Hackney/Private Hire Driving Test within 6 months of a Licensing Committee decision to do so.

## **18. Change of Details**

If during the currency of the licence any of the particulars supplied in the licensee's application shall change, details of that change shall forthwith be notified in writing within 7 days to the Council.

## **19. 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 driver, such additions, deletions or alterations shall, as from the date stated in the notice, be deemed to be incorporated in these conditions.

Any notice required to be served by the Council under Paragraph 19 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 of the driver.

These licence conditions are effective from 1 September 2002.