

## **HACKNEY CARRIAGE & PRIVATE HIRE DRIVER'S LICENCE CONDITIONS**

The following are conditions attached to a hackney carriage and private hire driver's licence. These conditions are additional to the requirements imposed on hackney carriage and private hire drivers and vehicles by the Local Government (Miscellaneous Provisions) Act 1976, Equality Act 2010 and the Town Police Clauses Act 1847. Breach of any of these conditions may lead to suspension or revocation of the licence and/or prosecution.

### **Driver's Identification Badge**

The Driver must at all times when acting as a driver of a hackney carriage or private hire vehicle wear his/her identity badge, as provided by the Council, in such manner as to be plainly and distinctly visible. The badge must be handed over for inspection, if requested, to any authorised officer or Police Officer for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.

The driver of a hackney carriage or private hire vehicle shall, when required to do so by an authorised officer of the Council or any Police Officer, return the driver's badge and licence to the Council and obtain a receipt for it.

The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return the driver's badge to the Council. Badges must be renewed before the expiry date of the existing badge.

### **Dress Code**

The Licensing Authority is committed to encouraging the professional image of the trade and it considers that drivers should conform to a minimum standard of dress, as set out below, in order to:

- Raise and maintain the profile of the licensed trade
- Promote confidence amongst members of public to ensure passengers feel comfortable when using licensed vehicles
- Promote public safety by ensuring the safe operation of licensed vehicles at all times and that licensing drivers are readily identifiable

### **Acceptable Standards of Dress:**

- The driver shall be clean and tidy in appearance
- Shirts, blouses, T-shirts, or sweat tops should cover the shoulders and be of sufficient length to enable them to be tucked into trousers or shorts
- Shirts or blouses can be worn with a tie or open-necked
- Trousers may be either full length or shorts if tailored
- Smart jeans type trousers are permitted
- Footwear should fit around the heel of feet

### **Unacceptable standards of dress within this Code:**

- Bare chests
- Unsuitable/Unclean or damaged clothing or footwear

- Clothing with offensive words, logos or graphics

### **Conduct of Driver**

The driver shall:

- at all times be clean and respectable in his dress and person and behave in a civil and orderly manner;
- take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- not drink or eat in the vehicle;
- not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle (Drivers are reminded that it is an offence to sound a horn whilst stationary except in traffic and not at all between 11.30pm and 7.00am in areas where there is a 30mph speed limit in force);
- NOT consume ANY alcohol whilst on duty and ensure that he/she complies with statutory legislation in relation to drink driving offences; and
- not use any mobile phone (including a hands free mobile phone) whilst driving.

### **Smoking**

It is against the law for a driver or passenger to smoke in a licensed vehicle. All hackney carriage vehicles are required to be smoke free at all times and 'No smoking' signage must be displayed in the vehicle in accordance with the legislation. Failure to comply with this may lead to a fixed penalty notice being issued or a criminal prosecution. The use of electronic cigarettes (e-cigs), vapours and electronic nicotine delivery systems (ENDS) is prohibited in hackney carriage and private hire vehicles.

### **Passengers**

- The driver shall not convey or permit to be conveyed in a hackney carriage or private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- The driver shall not allow any child below the age of ten years to be conveyed in the front of a private hire vehicle:

### **Written Receipts**

The driver shall if requested by the hirer of a licensed vehicle provide the hirer with a written receipt for the fare paid.

### **Use of Taximeter**

The driver of a vehicle provided with a taximeter shall ensure that the taximeter is sealed and approved by a contracted garage. All meters must be calendar controlled.

- As soon as the vehicle is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;

- Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Transport Lighting Act 1957 and also at any other time at the request of the hirer;
- 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 or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).

### **Fare to be Demanded**

- The driver shall not demand a fare in excess of (any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare) the fare shown on the face of the taximeter.
- The driver of a private hire vehicle shall not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare shown on the face of the taximeter.

### **Interference with Equipment**

The driver of a licensed vehicle shall not tamper with or permit any person to tamper with, any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto, nor with any other equipment attached to or forming part of the vehicle.

### **Shortest Route**

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

### **Assistance with Luggage**

The driver of a licensed vehicle so constructed as to carry luggage shall:

- convey a reasonable quantity of luggage;
- afford reasonable assistance in loading and unloading;
- afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such a person.

### **Lost Property**

The driver of a licensed 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 therein. Any property found shall be returned to the hirer or handed in to the nearest Police Station within 24 hours.

### **Carriage of Other Persons**

The driver of a licensed vehicle shall not permit any other person to be conveyed in the vehicle without the express consent of the first hirer.

### **Prompt Attendance**

The driver of a licensed vehicle shall, if he is aware that the vehicle has been hired, be in attendance at an appointed time and place or he has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that time and place, unless delayed or prevented by reasonable cause.

### **Change of Address**

The driver shall notify the Council in writing of any change of his address during the period of the licence within seven days of such change taking place.

### **Animals**

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of himself, the proprietor or operator of the vehicle. Any animal belonging to or in the custody of any passenger may be conveyed at the driver's discretion.

The carrying of hearing dog, guide dog or other assistance dog shall not be at the driver's discretion and such a dog accompanying a blind or deaf person must be carried at no additional cost.

### **Health of Driver**

The driver of a private hire vehicle must inform the Council without delay about the onset or worsening of any health condition likely to cause them to be a source of danger to the public when driving either now or in the future. Examples are giddiness, fainting, blackouts, epilepsy, strokes, multiple sclerosis, parkinson's disease, heart disease, angina, 'coronaries', high blood pressure, arthritis, disorder of vision, mental illness, alcoholism, drug taking and loss of a limb or use of a limb. THIS LIST DOES NOT INCLUDE ALL THE DISABILITIES THAT MUST BE REPORTED. THESE EXAMPLES ARE GIVEN ONLY TO INDICATE THE TYPES OF DISABILITIES.

Temporary conditions, other than recurrent ones, not expected to last more than three months need not be reported. Drivers who are in doubt about whether or not their health condition is one which should be reported should consult their doctor.

A Group 2 medical certificate completed by a registered general practitioner who is licensed to practice in the UK must be submitted with all new applications and every three years upon renewal and then annually thereafter when the applicant reaches 65 years old.

### **Code of Conduct**

The council requires all drivers to adhere to a Code of Conduct and, failure to do so, will be taken into consideration in disciplinary matters.

### **Documentation**

At the request of an authorised officer of the Council or a Police Officer the driver must within 7 days produce for inspection the following documents:

- the vehicle licence;
- the vehicle registration documents;
- a Certificate of the policy of motor insurance as required by Part IV of the Road Traffic Act 1988 or any other enabling Act;
- where appropriate a Ministry of Transport Test Certificate; or Inspection Certificate and

- his own driving licence issued by DVLA or equivalent as defined by DVLA.

### **Convictions/Cautions**

The proprietor/driver shall within seven days disclose to the Council in writing details of any convictions, cautions or arrests, DVLA penalty points etc. imposed on him (or if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

Licensed drivers must also report to the council within 7 days any changes to their immigration status, or any convictions of an immigration offence, or any requirement to pay an immigration penalty. A licence ceases to have effect if the person does not have the right to work in the UK. Any licence which has expired due to the person's immigration status must be returned to the council within 7 days.

### **Accident to Vehicle**

If a driver of a Hackney Carriage is involved in an accident or incident the driver **MUST** report this to the Council as soon as reasonably practicable, but in any case within 72 hours of the accident or incident. Compliance with this condition does not exempt the driver from his statutory liability to report all accidents to the police.

### **Private Hire - Acceptance of Hirings**

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

- tout or solicit on a road or other public place any person to hire or be carried in any private hire vehicle;
- cause or procure any other person to tout or solicit on any road or other PUBLIC place any person to hire or be carried for hire in any private hire vehicle; or
- offer the vehicle for immediate hire whilst the driver is on a road or **PUBLIC PLACE** or **PRIVATE PROPERTY**.

Before commencement of a journey the driver shall confirm the passenger's name and destination. The driver shall confirm the fare before the commencement of the journey unless a sealed meter is used in accordance with the current Table of Fares.

### **Hackney Carriage – Bylaws**

The driver of a hackney carriage shall comply at all times with the hackney carriage Bylaws. Please refer to Appendix C.