

PROPOSED VEHICLE SPECIFICATIONS FOR TUK TUKS & RICKSHAWS

For all rickshaw style and tuk tuk style vehicles

1. Definitions

"The Council"	means the DERBY CITY COUNCIL.
"The District"	means the area of the Council.
"Hackney Carriage"	has the same meaning as in the Town Police Clauses Act 1847.
"Private Hire Vehicle"	has the same meaning as in the Local Government (Miscellaneous) Provisions Act 1976.
"Vehicle"	means the rickshaw style or tuk tuk style vehicle in respect of which the licence is issued.
"Authorised Officer"	means any officer of the Council authorised in writing by the Council for the purpose of regulating licensed vehicles.
"Proprietor"	means the person or persons or body named in the licence as the proprietor of the vehicle.
"Taxi-meter"	means any device for calculating the fare to be charged in respect of any journey in a licensed vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.
"Plate" & "Card"	means the plate and card issued by the Council for the purpose of identifying the vehicle as a licensed rickshaw or tuk tuk.
"Byelaws"	means the byelaws made by the Council in respect of vehicles.
"Rickshaw"	means a pedal powered wheeled carriage
"Tuk tuk"	means a wheeled carriage propelled by means of an engine alone or as an auxiliary device to pedal power, the primary construction of which may be as a bicycle, motorcycle or moped.

2. Licence

This Licence shall remain the property of the Council and shall be renewed annually or as otherwise directed by the Council.

3. Maintenance of Vehicle

The proprietor shall ensure that:

- a) the vehicle is maintained in a sound, mechanical and structural condition at all times and that the vehicle complies with the Road Vehicle Lighting Regulations 1989 and any other legislation that affects the construction & use of tuk tuk style vehicles
- b) the vehicle is maintained in a sound, mechanical and structural condition at all times and that the vehicle complies with the Pedal Cycle (Construction and Use) Regulations 1983, the Road Vehicle Lighting Regulations 1989 and any other legislation that affects the construction & use of rickshaw and, where applicable, tuk tuk style vehicles
- c) the body-work of the vehicle is in good condition and the paint work is clean and well maintained
- d) any roof covering is water tight
- e) the condition, fixing and routing or positioning of electric cables and fittings, if any, are such that there is no risk of electrical fire or other incident
- f) the vehicle is provided with an audible warning device such as a bell or a horn
- g) any door hinges, locks and hand rails and any grab handles fitted to the vehicle are secure and sound, and not liable to injure any passengers or damage or soil their clothing or luggage
- h) in relation to tuk tuk style vehicles, a suitable spare wheel is provided, readily available for use, together with the tools and equipment required to carry out any emergency replacement or repairs required to the vehicle
- i) in relation to a rickshaw style vehicle, a puncture repair kit is provided, readily available for use, together with the tools and equipment required to carry out any emergency replacement or repairs required to the vehicle
- j) the fittings and furniture of the vehicle are kept clean and well maintained and in every way fit and safe for public use
- k) any internal linings of the vehicle are sound, clean and not liable to damage or soil passengers clothing or luggage, and the floor is provided with a carpet, mat or other suitable, non-slip floor covering which is sound and clean

- l) the seats are properly cushioned and covered by a water resistant material and the covers are in a sound and clean condition, which may be easily cleaned and dried
- m) seat belts are fitted to all seats. The seat belts shall be readily accessible for use by all passengers and must be maintained in a safe condition at all times.
- n) suitable child seating is provided

4. Alteration of Vehicle

- a) Where the vehicle is a hackney carriage, it must have all it's exterior bodywork finished in the Council's approved colour, which is AA Yellow (Paint Code SV035).

NOTE:

- (i) The approved colour, AA Yellow (SV035) is available from: PPG Industries UK Ltd, Division MaxMeyer, Customer Service and Sales Group, Needham Road, Stowmarket, Suffolk, IP14 2AD. Telephone 01449 771779 – general enquiries, Telephone 01449 778585 - for paint colour enquiries, Fax 01449 773495.
 - (ii) The approved colour paint will need to be applied over a suitable primer/base coat, usually grey or beige, in order to achieve the required shade.
 - (iii) Any disputes or queries about whether a vehicle's bodywork is finished in the correct shade will be referred to the Group Leader (Taxi Licensing) for adjudication.
- b) No alteration or change to the licensed specification, design, condition or appearance of the vehicle shall be made without the prior written approval of the Council.

5. Damage to Vehicle

- a) Any damage to a vehicle materially affecting the safety, appearance or performance of the vehicle or the comfort or convenience of passengers shall be reported to the Council by the proprietor or owner as soon as reasonably practical and in any event within 72 hours of the occurrence of the damage.
- b) Immediately upon sustaining any damage which materially affects the safety or performance of the vehicle or comfort or convenience of passengers, the vehicle must be withdrawn from service by the proprietor or owner until the damage has been inspected by an authorised officer.

6. Inspection and Testing

The proprietor or owner shall:

- a) upon request from the Council, present the vehicle for inspection at a suitable vehicle testing station.
- b) take all reasonable steps to ensure that the vehicle is presented for testing to the Council's approved testing station on the date and time requested by the Council. Should it fail to be so presented a charge may be levied against the proprietor by the testing station unless 24 hours clear notice of cancellation has been received by that testing station from the proprietor or owner.

7. Inspection by Authorised Officer etc

- a) The proprietor or owner of the vehicle shall at reasonable times permit an authorised officer or police constable in uniform to inspect the vehicle for the purpose of ascertaining its fitness.
- b) Should the authorised officer or police constable not be satisfied as to the fitness of the vehicle the proprietor or owner shall make the vehicle available for further inspection and testing at such reasonable time and place as is specified by notice in writing given by the authorised officer or police constable.
- c) The proprietor or owner shall comply with any notice given by an authorised officer or police constable suspending the vehicle licence until such time as they are satisfied as to its fitness.

8. Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire:

- a) in relation to tuk tuk style vehicles, a working BCF or dry powder fire extinguisher manufactured to British Standard BS5306, of minimum weight 1 kg and maximum weight 2 kg, and

- b) a suitable first aid kit containing the following items:
 - (i) six individually wrapped adhesive dressings;
 - (ii) one medium sized un-medicated dressing approximately 100 mm by 80 mm (e.g. standard dressing No 8 or No 13 BPC);
 - (iii) one triangular bandage (sterile);
 - (iv) six safety pins, and
 - (v) one pair of disposable gloves.

Such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency provided that if the design of the vehicle is such that a first aid kit cannot be carried in a position where it is easily visible a sign shall be displayed within the vehicle indicating the position of the kit.

- c) in relation to rickshaw style vehicles, the driver shall wear suitable safety headwear that complies with current British Standards;
- d) in relation to rickshaw style vehicles, the driver shall wear suitable reflective clothing; and
- e) in relation to rickshaw style vehicles, appropriately fitting safety helmets shall be made available for every passenger space, which conforms to the appropriate, current British Standard.

9. Interior Markings

- (a) The proprietor shall ensure that a notice provided by the Council displaying:
 - (i) the licence number;
 - (ii) the number of passengers which the vehicle is licensed to carry;
 - (iii) the address and telephone number to which passengers should complain, and
 - (iv) the Council's fare table (if applicable)

is displayed at all times within the passenger compartment, in a location to be identified and confirmed in writing by authorised officer and that the said notice is well maintained and visible at all times to passengers inside the vehicle.

- (b) Any tampering with this notice or failure to display it in the prescribed manner without good reason may result in the hackney carriage licence or private hire vehicle being suspended.

10. Display of Plate and Card

- a) The plate shall be securely affixed to the exterior rear side of the vehicle in such a position that the particulars are clearly visible.
- b) The plate shall be kept in such a position that the information carried on it is clearly visible to public view.
- c) The plate shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.
- d) The card shall be securely affixed so that the particulars are clearly visible to the exterior of the vehicle for inspection by a police constable or an authorised officer.
- e) The card shall remain the property of the Council at all times and shall be returned to the Council on the sale of the vehicle or in the event of surrender, suspension or revocation of the licence.
- f) The proprietor shall report in writing to the Council the loss of or damage to the plate as soon as the loss or damage occurs or becomes known, whichever applies sooner.

A replacement will be available upon payment of a fee.

11. Other Signs/Notices/Advertisements etc

Standard Hackney Carriage or Private Hire Vehicle condition shall apply, depending on mode of operation.

(Full details are available from the taxi licensing team on 01332 715226.)

12. Taxi-meter

Standard Hackney Carriage or Private Hire Vehicle condition shall apply, depending on mode of operation.

(Full details are available from the taxi licensing team on 01332 715226.)

13. Radio

Any radio equipment fitted to the vehicle shall:

- a) be kept in a safe condition and proper working order
- b) comply with the requirements issued by OFCOM or other Government Department
- c) not interfere with any radio or telecommunication equipment.

14. Mobile Telephones

Where a vehicle is fitted with any mobile telephone kit, or if the driver is equipped with any such device affixed to his or her person, no calls shall be made or received from the device whilst the vehicle is in motion or passengers are being carried.

15. Passengers

- a) No greater number of passengers than that specified in the licence shall be carried in the vehicle;
- b) The safety of passengers shall be ensured at all times when entering or leaving the vehicle.

16. Animals

- a) No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle;
- b) The driver may carry any animal belonging to a passenger at their own discretion anywhere in the vehicle and they shall ensure, where necessary, that such animals are suitably restrained / contained, so as not to present a nuisance or hazard to the occupants of the vehicle;
- c) Notwithstanding anything in (b) a visually impaired or otherwise disabled passenger shall be entitled as of right to be accompanied by an assistance dog in the vehicle.

17. Carrying Luggage

Any area for storing luggage must be kept clean and unobstructed, with adequate provision for securing such luggage and protecting it from damage.

18. Insurance

The proprietor or owner of the vehicle shall at the request of an authorised officer produce for inspection:

- a) a valid vehicle insurance certificate (for tuk tuk style vehicles) and/or public liability certificate (for rickshaw style vehicles).
- b) The applicable certificate shall cover public/private hire use (depending on use) and shall include details of:

- i) the proprietor or owner as the policy holder
- ii) cover for any other persons who drive the vehicle
- iii) the proprietor or owner shall produce the applicable certificate to the Council within 5 days of any request to him or her by an authorised officer. If the proprietor or owner fails to comply with any such request, the vehicle licence will be suspended.

20. Additional Safety Features

The proprietor or owner of the vehicle shall install any additional safety features which may from time to time be required by the Assistant Director – Environmental Health & Trading Standards.

21. Disability Equality Duty

The proprietor or owner of the vehicle must ensure that they comply with the requirements of the disability equality duty.