

PRIVATE HIRE VEHICLE LICENCE CONDITIONS

REVISED FEBRUARY 2008

Private Hire Vehicle Licences are issued subject to the following conditions. You are advised to study these carefully as you are warned that for non-compliance with any one condition the licence may be suspended or revoked.

1. Definitions

| | |
|------------------------|---|
| "The Council" | means the DERBY CITY COUNCIL |
| "The District" | means the area of the Council |
| "Private Hire Vehicle" | has the same meaning as in the Local Government (Miscellaneous Provisions) Act 1976 |
| "Vehicle" | means the private hire 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 private hire vehicles |
| "Proprietor" | means the person or persons or body named in the licence as the proprietor of the vehicle |
| "Taximeter" | means any device for calculating the fare to be charged in respect of any journey in a vehicle by reference to the distance travelled or time elapsed since the start of the journey or a combination of both |
| "Plate" | means the plate issued by the Council for the purpose of identifying the vehicle as a private hire vehicle |
| "Licence Card" | means any licence disc or card issued by the Council for the purpose of identifying and licensing the vehicle as a private hire vehicle |

2. Maintenance of Vehicle

The proprietor shall ensure:

- (a) that the vehicle is maintained in a sound, mechanical and structural condition at all times, within the Council's test specifications for private hire vehicles;
- (b) that the body-work of the vehicle is in good condition and the paintwork is clean and well maintained;
- (c) that the roof covering is watertight;
- (d) that the condition, fixing and routing or positioning of electric cables, wire looms and fittings are such that there is no risk of electrical fire or other

accident;

- (e) that at least two doors are provided for the use of passengers other than the driver's door;
- (f) that door hinges, locks and hand rails and any grab handles fitted in the vehicle are secure and sound and not liable to injure any passengers or damage or soil their clothing;
- (g) that a spare wheel is provided readily available for use together with the tools and equipment required to carry out a wheel replacement;
- (h) that the fittings and furniture of the vehicle are kept clean and well maintained in every way fit and safe for public use;
- (i) that the internal linings of the vehicle are sound, clean and not liable to damage or soil passengers clothing and the floor is provided with a proper carpet, mat, or other suitable floor covering which is sound and clean;
- (j) that the seats are properly cushioned and the covers are in a sound and clean condition;
- (k) that the vehicle is provided with sufficient means by which any person in the vehicle can communicate with the driver;
- (l) that proper and efficient internal lighting is fixed to the vehicle and it is functioning properly.

3. Alteration of Vehicle

No alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the written approval of the Council.

4. Damage to Vehicle

- (a) Any damage to vehicle materially affecting the safety, appearance or performance of the vehicle or the comfort or convenience of passengers shall be reported to the Council 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 until an authorised officer has inspected the damage.

5. Inspection and Testing

The proprietor shall:

- (a) present the vehicle and any meter affixed to it for inspection and testing by or on behalf of the Council within such period and at such place within the district of the Council require on up to three separate occasions during any 12 months.
- (b) take all reasonable steps to ensure that the vehicle is presented for testing on the date and at the time allocated in writing by the Council. Should it fail

to be so represented then a charge shall be levied against the proprietor unless written notice of cancellation has been received by the Council giving 24 hours clear notice of cancellation.

6. Inspection by Authorised Officer etc

- (a) The proprietor of the vehicle shall at all reasonable times permit an authorised officer or police constable in uniform to inspect the vehicle or any taximeter to it for the purposes of ascertaining its fitness.
- (b) Should the authorised officer or police constable not be satisfied as to the fitness of the vehicle or its meter the proprietor 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 shall comply with any notice given by an authorised officer or police constable suspending the vehicle licence until such time as he is satisfied as to its fitness or the fitness of any meter affixed to it.

7. Safety Equipment

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

- (a) a suitable and efficient 1.36 kg (3lb) BCF or dry powder fire extinguisher, and
- (b) a suitable first aid kit containing the following items:
 - i. six individually wrapped sterile adhesive dressings;
 - ii. one medium sized unmedicated dressing approximately 100 millimetres by 80 millimetres (eg standard dressing No. 8 or No. 13 BPC);
 - iii. one triangular bandage sterile, and;
 - iv. six safety pins.

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 on the vehicle dashboard indicating the position of the kit.

8. Interior Markings

There shall be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to passengers in the vehicle a notice issued by the Council indicating:

- (a) the number of the licence;
- (b) the number of passengers which the vehicle is licensed to carry.

9. Fare Table

The vehicle proprietor shall ensure that a notice displaying the table of fares shall be available at all times.

10. Plate and Licence Card

- (a) The plate shall be securely affixed to the exterior rear side of the vehicle immediately on or above the bumper in such a position that the particulars are clearly visible OR
- (b) The plate shall be securely affixed to the exterior rear side of the vehicle above, below, or to the side of the number plate on a Council approved bracket.
- (c) The plate shall be kept in such a condition that the information carried on it is clearly visible to public view at all times when the vehicle is being used as a private hire vehicle.
- (d) 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.
- (e) The licence card shall be securely affixed to the near side upper interior of the front windscreen so that the particulars are clearly visible to public view of persons outside the vehicle.
- (f) The licence card shall remain the property of the Council at all times and shall be returned to the Council on the side of the vehicle or in the event of surrender, suspension or revocation of the licence.
- (g) The proprietor shall report to the Police and to the Council the loss or damage to the plate or licence card as soon as the loss or damage becomes known.

11. Signs/Notices/Advertisements etc

- (a) Company signs must be displayed at all times when a vehicle is working for a particular company.
- (b) Should a company vehicle be used by a driver for other work (e.g. the driver's own school contract work, for which they hold a separate operator's licence), appropriate signage for their own company must be displayed – the 'main' company signs shall not be displayed.
- (c) Company signs shall be displayed on both sides of a licensed private hire vehicle, on either front or rear doors and must be a minimum size of at least 40 cm by 20 cm, with a minimum height of lettering for the company named being 4 cm.
- (d) Any typeface used on signs shall be clear and easily legible. No italicised letters or numbers will be permitted.
- (e) The words "Advanced Bookings Only" shall be present on each door sign.

- (f) The combination of typeface colour and background colours used should be high contrast (e.g. dark letters on a light background). Reflective backgrounds will be acceptable.
- (g) Each private hire operator shall have only one design of door sign which must be used by all vehicles in its fleet.
- (h) No such sign shall include the words "TAXI" or "CAB" whether in the singular or plural or the words "FOR HIRE" or any other word or words of similar meaning or appearance likely to cause a person to believe the vehicle is a hackney carriage or is presently available to carry any passengers wishing to hire it.
- (i) No other externally visible sign, notice, advertisement, plate, mark, number, letter, figure, symbol or emblem shall be displayed on, in or from the vehicle except as may be required by any statutory provision or as may be required or permitted by these conditions or as may be otherwise be approved from time to time by the Council in writing.

12. Taximeter

Should a vehicle be fitted with a meter, it shall be of a type approved by the Council and;

- (a) be maintained in a sound mechanical condition at all times,
- (b) be securely affixed to the vehicle and in such a position that all letters and figures on the face of it shall at all times be clearly visible to any passenger and for this purpose the letters and figures shall be capable of being suitably illuminated.
- (c) have the word "FARE" printed on the face of it so as to clearly apply to the fare recorded on it,
- (d) when in operation record on the face of it in figures clearly legible and free from ambiguity a fare not exceeding the rate of fare notified to the Council,
- (e) when the vehicle is not on hire show no fare by keeping the key or other device locked and machinery inactive,
- (f) be affixed to the vehicle with seals or other appliances so that it is not practicable for any person to tamper with except by breaking, damaging or permanently displacing the seals or other appliances.

13. Radio

Any radio equipment fitted to the vehicle shall:

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

14. Mobile Telephones

- (a) A vehicle shall not be fitted with any mobile telephone kit (including 'Bluetooth' equipment) and no calls shall be made from any portable mobile telephone carried in a private hire vehicle 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) No child under the age of 10 years shall be conveyed in the front passenger seat of the vehicle.
- (c) One passenger shall be conveyed in each front passenger seat of the vehicle unless this licence specifically states otherwise.

16. Animals

- (a) No animal belonging to the proprietor or driver of the vehicle shall be conveyed in the vehicle.
- (b) Any animal belonging to a passenger must be conveyed in the rear seating area of the vehicle and shall when necessary be contained so as not to present a nuisance or hazard to the occupants of the vehicle.
- (c) Notwithstanding anything in (b) a partially sighted or otherwise disabled passenger shall be entitled as of right to be accompanied by an assistance dog in the vehicle.

17. Carrying Luggage

There shall be a proper means of carrying and securing of passengers' luggage together with adequate protection for such luggage from inclement weather if the vehicle is so adapted as to carry luggage externally.

18. Documents

- (a) The proprietor of the vehicle shall at the request of an authorised officer produce for their inspection:
- (b) the current registration document,
- (c) the current vehicle insurance certificate,
- (d) the current vehicle Ministry of Transport (MOT) Certificate (if applicable), and
- (e) their driving licence if applicable.

19. Change of address

The proprietor shall:

- (a) notify the Council in writing of any change of their address within 7 days of such change,
- (b) notify the Council in writing of any change of the address from which they carry on the business in connection with the vehicle, if different from their home address.
- (c) within 7 days of a change of either of the addresses referred to in (a) or
- (d) (b) above, return the vehicle licence to the Council for endorsement.

20. Convictions

The proprietor shall within 14 days disclose to the Council in writing details of any convictions imposed on them (or if the proprietor is a company on the company or directors of the company or if a partnership on any of the partners) during the period of the licence.

21. Loss of Licence

The proprietor shall report the loss of the vehicle licence to the Council in writing and the police as soon as the loss becomes known. A crime reference number should be obtained from the police. A replacement licence may then be issued upon payment of a fee.

22. Return of Licence

The proprietor shall immediately return the licence to the Council in the event of the surrender, suspension or revocation of the licence.

23. Licence Renewal

The proprietor of the vehicle may apply to the Council in writing with the specified renewal form and associated documentation up to 28 days before the expiry date of the current licence if they require the licence to be renewed for a further period. A licence cannot be renewed after it has expired; a new application will be required in this instance.

24. Payment by Cheque/Credit/Debit Card

A licence in respect of which the fee has been paid either in part or in full by cheque or credit/debit card shall be of no effect in the event of that payment being subsequently dishonoured.

25. Licence

The licence shall remain the property of the Council.

The licence shall be renewed annually.

26. Transfer of Licence

The proprietor shall in the event that they transfer their interest in the private hire vehicle: -

- (a) notify the Council in writing within 14 days of the name and address of the person to whom the interest has been transferred, and
- (b) complete any documentation required by the Council.