

TUK TUK DRIVERS' LICENCE CONDITIONS

Tuk tuk drivers' 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.
"The Act"	means the Local Government (Miscellaneous Provisions) Act 1976.
"The 1847 Act"	means to the Town Police Clauses Act 1847.
"Badge"	means the badge issued by the Council to the licence holder for the purposes of identifying them as a hackney carriage driver in pursuance of Section 46 of the 1847 Act.
"Taximeter"	means any device for calculating the fare to be charged in respect of any journey in a vehicle calculated by reference to the distance travelled or time elapsed since the start of the journey or a combination of both.
"Hackney Carriage"	has the same meaning as in the 1847 Act.
"Vehicle"	means a tuk tuk.
"Proprietor"	means the person or persons or body named on a licence as the proprietor of the vehicle and includes part proprietors and in relation to a vehicle subject to a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement.
"Plate"	means the plate issued by the Council for the purpose of identifying a vehicle as a licensed vehicle.
"The Byelaws"	means the Byelaws, in respect of Hackney Carriages dated 13 September 1951 made by the Alderman and Burgesses of the Borough of Derby.

2. Licence

The Licence and associated badge shall remain the property of the Council at all times and shall be renewed annually.

3. Driver's Age Limit

To hold a tuk tuk licence the person shall have attained 21 years of age.

4. Driver's Knowledge

All applicants for a tuk tuk licence, except those renewing a licence which has not elapsed or been revoked, must satisfy the Council that they have a high standard of local knowledge in order to discharge their duties.

5. Conduct of Driver

The driver shall:

- (a) Behave in a civil and orderly manner;
- (b) Be clean and respectable in their dress and person;
- (c) Take all reasonable steps to ensure the safety of passengers conveyed in, entering into or getting out of the vehicle driven by them;
- (d) Not drink or eat in the vehicle whilst driving when it is being let for hire without the express consent of the hirer;
- (e) Not, without the express consent of the hirer, play any radio or any sound reproducing equipment in the vehicle other than for the purposes of sending or receiving messages in connection with the operation of the vehicle;
- (f) At no time cause or permit the noise from any radio or similar 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; and
- (g) Not importune any person to hire such a vehicle and shall not use any other person for that purpose.

6. Badge

The driver shall ensure that the badge is worn in such a position and manner as to be plainly and distinctly visible at all times when discharging their duties as a driver of a vehicle.

7. Luggage

The driver shall:

- (a) Carry a reasonable quantity of passengers luggage on or in the vehicle; and
- (b) Afford reasonable assistance in removing or depositing such luggage from or to the entrance of any dwelling, station or other place at which or near to which the driver picks up or sets down a passenger.

8. Passengers

The driver shall not:

- (a) Convey or permit to be conveyed in the tuk tuk a greater number of passengers than that specified in the licence for the vehicle;
- (b) Without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.

9. Animals

- (a) The driver shall not convey in the vehicle any animal belonging to themselves, the operator of the vehicle, or animals in their custody.
- (b) The driver may carry any animal belonging to a passenger at their own discretion but only in the rear seating area of the vehicle and they shall ensure where necessary that such animals are suitably 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 a assistance dog in the vehicle.

10. Lost Property

- (a) The driver 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 left in it;
- (b) Any property found by the driver in the vehicle, or handed to them, shall, if not claimed by or on behalf of the hirer within 24 hours, be given by the driver to the police.

11. Prompt Attendance

The driver of a vehicle which has been hired to be in attendance at an appointed time or place shall, unless delayed or prevented by some sufficient cause, punctually attend with the vehicle at the appointed time or place.

12. Destination

When hired to drive to a particular destination the driver shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

13. Meter

(Dependent on usage) The vehicle shall be fitted with a meter approved by the Council and the driver shall:

- (a) On commencement of a journey bring the machinery of the meter into action and keep the meter in action until the termination of the hiring. For disabled passengers the "termination of the hiring" shall be the point of arrival at the required destination. No additional fare may be charged for time taken giving assistance to disabled passengers (including wheelchair users) to enter or exit the vehicle.*
- (b) Ensure that the meter is properly illuminated throughout any part of the hiring that is during the hours of darkness and at any other time at the request of the hirer.*

14. Fares

(Dependent on usage) The driver shall not demand from any hirer a fare higher than that displayed on the meter at the termination of the journey unless otherwise agreed with the hirer prior to the commencement of the journey.

15. Written Receipt

The driver shall, if required by the hirer of the vehicle, provide them with a written receipt of the fare paid.

16. Interior Display of Information

None proposed

17. Plate/Door Signs

The driver shall ensure that the licence plate is clearly visible to the public at all times.

18. Change of Address

The driver shall give notice to the Council in writing of any change of their address during the period of the licence within 7 days of such change taking place.

19. Convictions

The driver shall, within 14 days of the date of any conviction, disclose to the Council in writing details of the conviction/s imposed on them during the period of the licence.

20. Medical Fitness

The driver shall:

- (a) Upon application, be medically examined by a registered general practitioner where they are registered and be certified fit to perform the duties of a tuk tuk driver.
- (b) If aged under 65, be medically examined every 5 years by a registered general practitioner at the doctor's practice where they are registered and be certified fit to perform the duties of a tuk tuk driver.
- (c) If aged over 65, be medically examined annually by a registered general practitioner at the doctor's practice where they are registered and be certified fit to perform the duties of a tuk tuk driver.
- (d) Be required to undergo additional examinations at more frequent intervals, if recommended by a registered general practitioner or at the request of the Principal Licensing Officer, if a complaint is received.
- (e) Notify the Council in writing of any medical condition which arises after the issue of the licence and may affect their ability to drive safely.

21. Loss of Badge or Licence

The driver shall report the loss of their badge or licence to the Council in writing as soon as he becomes aware of the loss. A duplicate may be issued upon payment of a fee.

22. Return of Badge or Licence

The driver shall immediately return their licence and badge to the Council in the event of the surrender, suspension or revocation of the licence.

23. Licence Renewal

- (a) The driver may normally apply to the Council in writing on the appropriate application form no more than 10 working days before the expiry of the current licence if they require the licence to be renewed for a further period.
- (b) A licence cannot be renewed if it has expired; a new application will be required.

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. Criminal Record Checks

Every new applicant for the grant of a licence shall be subject to an Enhanced Disclosure check by the Criminal Records Bureau (CRB). Existing licensed drivers shall be subject to these checks every 3 years, or as otherwise required by the Council.

26. Disabled Passengers (including wheelchair users)

The driver shall:

- (a) Afford reasonable assistance to disabled passengers to enable them to enter and exit the vehicle in a safe and dignified manner.

27. Proprietor Records

The driver shall supply to the proprietor of the vehicle which they drive:

- (a) Their name, address and telephone number
- (b) Their tuk tuk driver's licence number
- (c) Their tuk tuk driver's licence expiry date
- (d) Details of any change to any of the above within 14 days of such change.