

# Private Hire Driver Conditions

## **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PART II PRIVATE HIRE DRIVER'S LICENCE – CONDITIONS OF LICENCE**

1. A driver shall at all times maintain 'a high standard of appearance and behaviour', afford assistance with passengers' 'luggage' and take all reasonable steps to ensure the safety of passengers. (Drivers should obtain a medical exception from Licensing authority if they unable to conduct the above duties to medical reasons)
2. A driver shall not operate a radio / music / or electronic device in the vehicle so as to interfere with the comfort of passengers, nor without the express consent of the hirer shall he/she eat or drink in the vehicle.
3. A driver shall not convey a greater number of persons than specified in the Licence of the vehicle he/she is using, provided that for this purpose children under the age of ten may be conveyed in the rear passenger compartment.
4. No child under the age of ten, or more than one person over that age may be conveyed in the front of the vehicle. The driver shall not allow any person other than the Hirer to ride in the vehicle (unless school contract escort) when it is on hire, without the Hirer's consent.
5. Within 48 hours of finding lost property, the driver must either hand or report the item(s) into a police station or report the lost property using Police online or phone systems.
6. The driver shall upon request provide the hirer with a written receipt for the fare paid.
7. The driver shall convey no animal except when it is in the custody of the hirer and in this case the animal must be conveyed in the rear of the vehicle.
8. The driver shall make all attempts to arrive punctually at the time and place specified by the hirer.
9. A driver shall not demand of the hirer a sum in excess of that agreed between the hirer and the Operator. If the vehicle is fitted with a taximeter which is used to determine the fare, then the driver shall give the hirer the opportunity to examine the fare shown on the taximeter at the termination of the journey.
10. The licensee shall notify the Council immediately in writing (or in any case within 48 hours) if they are subject to any of the following:
  - Arrest or criminal investigation,
  - summons,
  - charge,
  - conviction,
  - formal/simple caution,
  - fixed penalty or speed awareness course,
  - criminal court order,
  - criminal behaviour order or anti-social behaviour injunction,
  - domestic violence related order,
  - warning or bind over

- any matter of restorative justice and shall provide such further information about the circumstances as the Council may require.

All Licence holders are required to notify the issuing authority within 48 hours of any arrest and release for any sexual offence, any offence involving dishonesty or violence and any motoring offence. Further notifications to the licensing authority must be made within 48 hours of any charge and any conviction. Failure to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation. Drivers should notify the Licensing Authority of any voluntary interview conducted by the Police within 48 hours.

Drivers should inform the Council of any changes of address within 5 working days.

11. The driver should have no sexual contact or be sexually explicit either physically or verbally towards passengers they are transporting. The driver shall at all times ensure that the hirer/passenger is cared for and must not knowingly put them in any position that could lead them into any physical or moral danger. Any suspicious behaviour or circumstances must be reported to a relevant authority, e.g. Police, Children's Services or Licensing Officers.
12. Private Hire Drivers should take no part in the booking procedure between the customer and the Private Hire Operator. This includes supplying a customer with a communication device, i.e. mobile phone, computer device so they can make a booking with the Operator.
13. The Private Hire Driver shall only work for the Operator(s) they have listed on their application form. If they change Operator, they should inform the Licensing Authority within 5 working days.

14. Conduct relating to illegally plying or standing for hire

- The licensee shall ensure that the passenger(s) entering the vehicle is/are the correct person(s) for whom the vehicle has been pre-booked.

The licensee must take precautions against behaviour that may be deemed to be standing or plying for hire, by not plotting or waiting without a booking:

- a) in high footfall /high visible locations
- b) outside busy venues/businesses or in close proximity to events
- c) at the front or back of designated hackney ranks
- d) in groups or lines that present as a 'rank' e) in contravention of road traffic orders

15. The licensee shall at all times when driving a private hire vehicle wear the driver's badge issued to them by the Council so that it is plainly and distinctly visible and show it to any passenger(s) if requested.

The badge shall be returned to the Council immediately upon request by an Authorised Officer (i.e. the licence is suspended, revoked or becomes invalid for any reason).

The licensee must wear any lanyard, clip or holder issued to them by the Council.

16.

The licensee shall notify the Council of any newly diagnosed or change to a current medical condition which may restrict their entitlement to a driver's licence requiring a DVLA Group 2 medical standard. Notification must be sent to the Council's in writing (or in any case within 48 hours) of the relevant diagnosis or change to medical condition.

The licensee shall at any time (or at such intervals as the Council may reasonably require) produce a certificate in the form prescribed by the Council signed by an appropriate Doctor/Consultant who has access to the driver's full medical records to the effect that he/she is or continues to be fit to be a driver of a private hire vehicle.

## **Legislation**

The holder of a Private Hire Driver's Licence shall comply with the provisions relating to Private Hire vehicles contained in the following legislation:

- Town Police Clauses Act 1847
- Part II Local Government (Miscellaneous Provisions) Act 1976
- Road Traffic Act 1988 Part 11(a) Construction and Use of Vehicles and Equipment
- Equality Act 2010
- Health Act 2006