

Hackney Carriage Vehicle Conditions

Hackney Carriage Vehicle Licence Conditions

A Hackney Carriage proprietor is an owner or part owner of a vehicle, or where a vehicle is subject to leasing contract, hiring agreement or hire purchase, a proprietor is the person in possession of the vehicle under the agreement. In all such cases the proprietor requires a Hackney Carriage Proprietor's Licence from Newport City Council before they are legally entitled to use the vehicle to ply for hire.

Licences can be obtained by making a full application to the Council. Each applicant must submit an application in respect of every vehicle for which a licence is required.

Specification

1. The Proprietor shall ensure that the vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and that all relevant statutory requirements (including in particular those contained in Motor Vehicles Construction and Use Regulations) shall be fully complied with.
 - a) The vehicle shall have no evident signs of previous significant accident damage. The paint work shall be of a professional finish over the whole of the vehicle's bodywork.
 - b) The bodywork shall have no significant signs of corrosion. Corrosion includes visible rust and signs of rust by virtue of the paintwork being blistered.
 - c) Bodywork damage cannot be patched up or fixed with 'Gaffer Tape' etc. (Although the quarter light windows can be affixed by Gaffer Tape in the interest of prevention of crime and wing mirrors can be taped if the mirror has been vandalised, but the mirror should be fixed before any future council tests.)
 - d) All parts of the passenger compartment shall be kept clean and free of any damage, which may otherwise affect its suitability for the carriage of passengers.
 - e) Where seat covers are used, they shall be properly affixed to the seat so as not to become loose during use. They shall be kept clean and devoid of damage of any kind.
 - f) A working heating and ventilation system shall be provided within the Hackney Carriage.
 - g) A window on either side of the passenger compartment shall be capable of being opened easily by passengers and/or by the driver.
2. No material alteration or change to the specification, design, condition or appearance of the vehicle shall be made without the prior approval of the Licensing Manager.

Type of Vehicle

3. The vehicle must be a purpose built fully wheelchair accessible vehicle. The vehicle must be safely accessible to a disabled person in their wheelchair and must be able to carry the person in safety and in reasonable comfort while remaining in their wheelchair. The vehicle must comply with British and European Vehicle Regulations, be type approved to the standard of M1 whole-vehicle, M1 (Low volume) category and be unaltered since the type-approval was obtained. Wheelchairs can either access the vehicle from the side or from the rear of the vehicle. The wheelchair must be secured within the vehicle at all times and in accordance with the Vehicles Manufacturer Guidelines.

PLATE, SIGNS, ADVERTISING, AND LIVERY

- 4 (a) Vehicles shall at all times display the external plate and internal disc which are supplied with this licence by the Council. The plate must be securely attached to the vehicle with the use of a plate bracket provided by the Council or screwed to the rear of the vehicle (magnetic or self-adhesive securing of the plate is not permitted). The only exception for not displaying the plate on the bracket is when the bracket breaches the Road Traffic Act, or if the vehicle precludes the use of the bracket; in this case proprietors must contact the Licensing Team in order to obtain an exemption from having to display a plate bracket.

And

- (b) Display the Council licence disc at the top left hand corner of the inside front windscreen ensuring that the licence details thereon are visible from both inside and outside the vehicle and in such a way as not to obscure visibility in anyway. The inside disc should display the plate number and expiry date.
5. The vehicle must display authorised Council Door Stickers on the driver's and front passenger's door. No signs, notices, symbols or emblems should be displayed in or on the vehicle without the prior approval of the Licensing Manager. However a sign can be attached to the rear passenger doors: this sign must be no larger than 80cm x 50 cm and should only be used to highlight the Company/Operator for whom the vehicle is working.
6. The Vehicle must be in BLACK in colour, or a colour approved by the Council.

CHANGE OF CIRCUMSTANCES

1. 7. 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. Proprietors should notify the Licensing Authority of any voluntary interview conducted by the Police within 48 hours.

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

8. The Proprietor shall, within five days, notify the Council in writing of all changes in circumstances affecting this licence, such as: change of address, phone number, taxi operator for whom he/she is working, owner of the vehicle, change of insurance company, email address. etc.
9. The Proprietor should inform the Licensing Authority within 72 hours in writing of any accident or damage to the vehicle and present the vehicle for inspection upon request of a Licensing Officer.

RETURN OF PLATE

10. The Hackney Carriage Licence plate and disc, supplied with this licence, is the property of Newport City Council. The plate should be returned within 14 days after expiry; failure to do so will result in loss of the plate deposit and may result in other action being taken.

INSURANCE

11. The Proprietor shall ensure that a copy of the Insurance Policy or Cover Note is carried in the vehicle at all times. The proprietor shall not use the vehicle, nor permit it to be used as a Hackney Carriage vehicle when there is not in force for the vehicle an appropriate Policy of Insurance, or such security as complies with the requirements of Part VI of the Road Traffic Act 1988 and that the requisite vehicle

road tax has been paid for the year. The Proprietor shall produce, when requested, the vehicle registration document and a valid MOT Certificate.

SEATING PLAN & LUGGAGE COMPARTMENT

12. Each passenger shall have direct access to a door without the need to remove or completely fold flat other seating. Where passengers do not have direct access to a door, vehicles that have seats that “tilt” forward by a single operation will be permitted by the Council. A clear sign within the vehicle should clearly indicate the location of the handle that operates the tilt forward seat.
13. Hackney Carriages that wish to use the passenger seat for a paying passenger or for gain must have CCTV present in the vehicle and be approved by the Council; separate guidance will be available for proprietors.
14. The vehicle must be capable of carrying no fewer than four passengers and no more than eight.
15. The vehicle must have a boot or luggage compartment which provides sufficient space to carry a reasonable amount of luggage.
16. Each passenger seat shall be fitted with a seat belt. No seats may be side facing, other than a wheelchair that has been correctly secured in the vehicle, in accordance with vehicle manufacturer’s guidelines.
17. The vehicle should not carry children in pushchairs; the pushchair should be folded up and stored. If the vehicle does not have the correct child restraint, then the child should be placed on the rear seat only. Children under 3 years old may travel unrestrained, but instead held in an adult’s arms/lap. Children aged 3 years old or over must use an adult seat belt as in accordance with Road Traffic Act. (Further details can be found on)

http://www.dft.gov.uk/think/focusareas/children/childincarcar?page=Advice&whoareyou_id=

ALTERATION OF VEHICLE

18. No alteration to the manufacturer’s specification for the vehicle including a change of or additional fuel type shall be carried out except with the prior written approval of the Council.

TINTED WINDOWS

19. The front windscreen and front windows must have a visible light transmission (VLT) of not less than 75 per cent and all other windows must not be tinted to the extent that passengers cannot be seen from outside the vehicle.

VEHICLE TESTS

20. Hackney Carriages will be tested once every year until 5 years old. Hackney Carriage over 5 years’ old will be tested every 6 month following issue of a 12 month/yearly licence. Licence holders are permitted to book the vehicle in for testing up to 28 days prior to the 6 monthly test.

21. If a vehicle fails the Council's vehicle test or a MOT the vehicle cannot be used as a Hackney Carriage until such time the vehicle is re-examined and passes the Council test or MOT.

VEHICLE EQUIPMENT

22. The vehicle must carry the following equipment:
- a. A spare wheel suitable for immediate use and which is properly maintained. If the spare wheel is of the temporary space saver type, it may only be used to complete the particular journey or hiring the vehicle is engaged on when the wheel change is necessary and vehicles that have certain technology may be exempt from this condition at the discretion of the Council (e.g. vehicle is fitted with run-flat tyres).
 - b. A jack and tools for changing the wheels.
 - c. A ramp, or ramps, for the loading of a wheelchair and passenger must be available at all times for use at the nearside rear passenger door. An adequate locking device shall be fitted to ensure that the ramp(s) do not slip, splay apart or tilt when in use. Provision shall be made for the ramps to be stored safely in the vehicle when not in use. The duties for proprietor / driver:
 - Are to transport the passenger while in the wheelchair.
 - not to make any additional charge for doing so.
 - if the passenger chooses to sit in a passenger seat, to carry the wheelchair.
 - to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort.
 - to give the passenger such mobility assistance as is reasonably required.

Unless the driver holds an Exemption certificate as defined under Equality Act 2010.

Any auxiliary equipment that is fitted to a vehicle shall not impede the driver in any way, or hinder his/her view, or impede, or cause hazard to passengers or other road users.

ADVERTISING

1. Advertisements are only permitted on the interior of purpose built Hackney Carriages on the underside of the tip-up seats and across the bulkhead above the dividing glass partition. The permitted sizes are as follows:
- bulkhead 60cm x 8 cm
 - tip up seat 33cm x 30.5cm.

No advertisement may be placed on the dividing glass partition other than notices approved by the Council, for example the tariff card.

AUDIO, VIDEO & RECORDING SYSTEMS

24. No audio, video or recording systems which were not installed when the vehicle was manufactured shall be installed or operated in the vehicle without complying with the Council CCTV guidance.

NO SMOKING IN VEHICLE

25. No smoking is permitted in the vehicle by either the driver or passengers. The vehicle should comply with the “smoke free” regulations as stated in the Health Act 2006. The vehicle must display ‘no-smoking’ signs in a prominent position. The sign should include the international red ‘no smoking’ symbol.

METERS AND FARES

26. The vehicle must be fitted with a taxi meter which must comply with the Measuring Instruments (Taximeters) Regulations 2006. The taxi meter shall:
- a. shows the fare recorded on the taxi meter in clearly legible figures, and the word ‘FARE’ shall be clearly displayed so as to apply to such figures.
 - b. The meter should be set in accordance with the Council’s Table contrary of Hackney Carriage fares unless the Proprietor wishes to have a lower tariff. In this case the Proprietor must display the Council Tariff alongside a Proprietor’s Tariff Card. In such circumstances the Proprietor’s Tariff Card must clearly state that the Proprietor does not charge the maximum Council taxi rates. A copy of the Proprietor’s Card should be given to the Council for its own records.
27. The fare tariff must be fixed in such a position so that the fare to be charged is visible to all passengers within the vehicle at all times and the figures shall be illuminated for this purpose. In the case of Hackney Carriage vehicles that have safety shields, the fare tariff should be displayed in the rear compartment of the vehicle.
28. The Proprietor of the hackney carriage shall ensure that there is a receipt book available in the vehicle at all times and a receipt should be provided at the passenger’s request.

LOST PROPERTY

29. The proprietor or driver of a Hackney Carriage shall take all reasonable steps to return any property that has been left in his vehicle to the rightful owner and in any case must report lost property to the Police within 48hours.

30. Environmental Condition

- **New Hackney Carriage licences** will only be granted on vehicles that meet Euro 4 Standard.
- **Transfer of Hackney Carriage licences** will only be granted on vehicles that meet Euro 4 standard.
- **Replacement of Hackney Carriage licences.** An existing vehicle licence holder (a proprietor that has held a current licence before introduction of the policy and continued to renew this licence) may change the vehicle on that licence if the vehicle meets minimum Euro 4 standards. Vehicle licences granted after the introduction of the policy will only be granted to replace vehicles that meet Euro 4 standard.

31. The holder of every Hackney Carriage licence shall comply with the provisions relating to Hackney Carriages 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