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South Ribble Borough Council Licensing Unit Hackney Carriage Driver Conditions

Standard Conditions attached to a Hackney Carriage Drivers licence

Local Government (Miscellaneous Provisions) Act, 1976 part 2 Section 1

1. In The event of the licence holder being convicted of an offence of whatever kind during the currency of the licence, he shall forthwith notify the Chief Executive in writing of the conviction, the nature of the charge and the penalty imposed, together with such further information concerning the offence as the Chief Executive may require.
2. The licence holder, whilst acting in pursuance of the licence hereby granted, shall be clean and respectable in his dress and person, behave in an orderly manner and conduct himself with civility and propriety towards every person seeking to hire, hiring or being conveyed in a hackney carriage.
3.
 - i) A licence-holder must immediately inform the council in writing of any deterioration in health condition and/or of any injury that would adversely affect the licensee's ability to safely drive a Hackney Carriage and be a likely source of danger to the public whilst driving now or in the future;
 - ii) This requirement is in addition to that imposed under Section 94 of the Road Traffic Regulation Act 1986, which requires a driver to notify the Secretary of State of any relevant disability; and
 - iii) If a licence-holder is in doubt about whether or not their injury/health condition is one which should be reported, their doctor should be consulted.

NOTE: THIS LICENCE DOES NOT ENTITLE THE HOLDER TO DRIVE A LICENSED PRIVATE HIRE VEHICLE.

THIS LICENCE IS NOT TRANSFERABLE AND MUST BE RENEWED AS FROM THE DATE OF ITS EXPIRY.

THE LICENCE-HOLDER MUST IMMEDIATELY NOTIFY ANY CHANGE OF ADDRESS TO THE CHIEF EXECUTIVE, CIVIC CENTRE, WEST PADDOCK, LEYLAND.

BYELAWS

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Borough Council of South Ribble with respect to hackney carriages hired in the Borough of South Ribble.

INTERPRETATION

1. Throughout these byelaws "the Council" means the Borough Council of South Ribble and "the district" means the Borough of South Ribble.

PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE SHALL BE DISPLAYED

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.
- (b) A proprietor or driver of a hackney carriage shall:
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire; and
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (b) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use; and
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed attached and maintained as to comply with the following requirements, that is to say:-
 - (a) the taximeter shall be fitted with a key, flag or other device the operation of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (a) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter;
 - (a) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare equal to the rate or fare which the driver is

entitled to demand and take for the hire of the carriage by distance and time;

- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
- (e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and
- (f) the taximeter and all fittings thereof shall be so affixed in the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seal or other appliances.

5. The proprietor of a hackney carriage shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements that is to say:

- (a) the sign shall bear the words "FOR HIRE" in plain letters at least 1.5 inches high; and
- (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire and for that purpose it shall be capable of being suitably illuminated.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES

6. The driver of a hackney carriage provided with a taximeter shall:-

- (a) when standing or plying for hire keep the taximeter locked in a position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of Byelaw 5 above so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;
- (b) as soon as the carriage is hired whether by distance or by time, operate the said taximeter so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;
- (c) as soon as the carriage is hired by distance and time, and before commencing the journey, bring the machinery of the taximeter into action by moving the key, flag or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- (d) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise and also at any other time at the request of the hirer; and
- (e) immediately on completion of the hiring, cause the taximeter to cease recording, but allow the amount of the fare recorded on it to remain displayed on the taximeter until the hirer has had a reasonable opportunity of examining it.

7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:-

- (a) proceed with reasonable speed to one of the stands appointed by the Council;
- (b) if a stand at the time of his arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand;
- (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction; and

- (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
9. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not make use of the services of any other person for the purpose of importuning any person to hire such carriage.
10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
11. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
12. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the two plates affixed to the outside of the carriage.
13. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
14. The driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:-
- (a) convey a reasonable quantity of luggage;
 - (b) afford reasonable assistance in loading and unloading; and
 - (c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.
15. The proprietor or driver of a hackney carriage shall not, when standing or plying for hire, wash such carriage in any street or public place.
16. The driver of a hackney carriage shall not, in such carriage when driving for hire, except with the permission of the person hiring or being conveyed in such carriage, smoke tobacco or other substance.
17. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person, shall immediately thereafter notify the fact to the Head of Environment and Building Control of the Council.
18. The driver of a hackney carriage shall at all times while standing, driving or plying for hire, keep a complete copy of these byelaws with such carriage and shall on request produce the same for perusal and inspection by any person hiring such carriage.

PROVISIONS FIXING THE RATES OR FARES TO BE PAID FOR HACKNEY CARRIAGES HIRED WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES

19. The proprietor or driver of a hackney carriage plying for hire shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance and time unless the hirer expresses at the commencement of the hire his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

20. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council to be exhibited inside the carriage, in clearly distinguishable letters and figures.

- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF

- 21. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
- 22. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-
 - (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner to the office of the Council, and leave it in the custody of the officer in charge of the office on his giving a receipt for it; and
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound its estimated value or the fare for the distance from the place of finding to the office of the Council, whichever be the greater, but not more than five pounds.

PENALTIES

- 23. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction therefore.

24. REPEAL OF BYELAWS

The byelaws relating to hackney carriages made by the Council on 14 May 1979 and which were confirmed by an Assistant Secretary of State at the Home Office on 9 August 1979 and came into effect on 11 September 1979 are hereby repealed.