

## Hackney Carriage Vehicles

'Hackney Carriage' is legally defined in the Town Police Clauses Act 1847 but, in general terms, may be described as a vehicle which:

- can stand or ply for hire in a street
- has been duly licensed by the Council and which displays a Hackney Carriage Plate both internally and externally.

A Hackney Carriage Vehicle Licence (alternatively referred to as a 'Hackney Carriage Proprietors Licence') is required under the Town Police Clauses Act 1847, Section 37.

Pursuant to the provisions of the Transport Act 1985, Section 16, amending the Town Police Clauses Act 1847, the Council's present Policy is not to restrict the number of vehicles licensed as Hackney Carriages.

**It is important to note that once a vehicle is licensed as a Hackney Carriage it is so licensed 24 hours a day, 7 days a week and can only ever be driven at any time by a person who holds the appropriate Hackney Carriage licence.**

### 1. TAXI METERS

All hackney carriage vehicles must be fitted with a calendar-controlled taximeter approved by the Council. Such meters will be operated in accordance with the Councils Byelaws and Licence Conditions. Fare Tariffs are fixed by the Council.

All taximeters should be of a type approved by Transport for London Taxi and Private Hire (TPH) or one that complies with the new Measuring Instrument Device (MID) regulations and carries a visible M mark. By 1<sup>st</sup> November 2016 all taximeters must comply with the MID British Standard.

### 2. DISTINGUISHING FEATURES

It is a requirement that Hackney Carriages are readily distinguishable from each other [Section 47 of the Local Government (Miscellaneous Provisions) Act 1976]. The Council therefore requires that any Hackney Carriage be of such design or appearance, or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage. Furthermore, Section 48 provides that a Private Hire Vehicle shall not be of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage.

The Council requires that Hackney Carriages are to be fitted with an approved design of roof sign.

### 3. VEHICLE SPECIFICATION

The Council lays down general specifications for all licensed Hackney Carriages. These are laid down in the Council's 'blue book' entitled 'Conditions relating to the Construction and Licensing of Hackney Carriages in the Chichester District' and in addition in the Council's 'Hackney Carriage Byelaws' (dated April 1986).

All licensed hackney carriages must comply in full with the Transport for London Conditions of Fitness.

All hackney carriages first licensed with the Council will comply with **Euro 4** as a minimum vehicle emissions standard and requirement. The same condition will apply to existing proprietors who wish to transfer the vehicle and licence plate to another licensed proprietor, in that the Council will not allow the transfer unless the replacement vehicle meets the Euro 4 standard.

Existing licensed Proprietors of hackney carriages will not be affected by the revised emissions standard except on replacement or transfer.

The emissions standard required in respect of the above condition will vary with the elapse of time and the current emission standard adopted by the Council following the Transport for London (TPH) requirements.

### 4. MECHANICAL STANDARD AND VEHICLE TESTS

All licensed Hackney Carriages with Chichester District Council shall be presented for a MoT and Council Fitness Test in accordance with the following structure:

Less than 1 year old	–	no MoT or Fitness Test is required
1 year or over	–	MoT and Fitness Test required every 12 months
5 years or over	–	MoT and Fitness Test required every 6 months

A vehicle may be presented to the Council's Workshops both for the MoT and Fitness Test.

**However, the Council must always carry out the Fitness Test.**

Alternatively, the owner/proprietor of a licensed Hackney Carriage may obtain a MoT examination at any VOSA approved testing station. The vehicle must be presented to the Council for the subsequent Fitness Test within 3 working days from the date of the successful MoT pass or re-test. In the event that a vehicle fails the Fitness Test, the vehicle should be presented for a Re-test as soon as practicable.

The examination certificate supplied should be returned to the Licensing Office and the completed licence application form where appropriate. The applicant will pay for the charge for these examinations.

With effect from 1<sup>st</sup> November 1987, the Council have applied a standard set out in the Council's Inspection Manual. These Conditions of Fitness have remained in use by the Council's vehicle testers for Hackney Carriages and Private Hire Vehicles.

Following a Hackney Carriage successfully passing a Fitness Test by the Council's vehicle tester, a Fitness Certificate will be issued. The certificate **MUST** be presented to the Council along with the applicable MoT pass certificate, and a correctly completed application form.

Should the Hackney Carriage fail either the Council's vehicles fitness test and/or the MoT test the vehicle **MUST** be re-presented after suitable repair for a further examination.

## **5. NATIONAL INSPECTION STANDARD FOR VEHICLE TESTS**

All Hackney Carriages will be tested in accordance with the Hackney Carriage and Private Hire National Inspection Standards published jointly by the Public Authority Transport Network and the Freight Transport Association from time to time.

All Hackney Carriages presented to the Council's workshop for the Fitness Test will be examined by reference to this National Inspection Standard.

The examination certificate supplied should be returned and the completed licence application form where appropriate. The applicant will pay for the charge for these examinations.

## **6. VEHICLE LOG BOOK**

Every licensed Hackney Carriage proprietor/owner will keep a **Vehicle Log Book**, to be retained with the vehicle at all times and is available for inspection by an Authorised Officer. This document will include details of all maintenance and servicing carried out on the vehicle in accordance with the manufacturers recommended safety inspection and servicing procedures, all inspections made by Authorised Officers/Police or VOSA, any accident damage details and details of the current insurance policy in force for that vehicle.

Periodic testing may also be required in accordance with Sections 50 and 68 of the Local Government (Miscellaneous Provisions) Act 1976 to ensure that vehicles are maintained in a suitable condition. In the event of the Council/Licensing Officer requiring a Hackney Carriage to be submitted for immediate mechanical inspection (under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 because he suspects that vehicle of being unroadworthy, the Proprietor will be required to pay the costs of that inspection and any further re-inspection in the event of the vehicle failing the inspection.

## **7. IDENTIFICATION PLATES**

Identification Plates are required by the Byelaws to be displayed at all times.

The exterior licence plate shall at all times be fitted in a conspicuous position on the OUTSIDE to the rear of the vehicle so that it can be readily removed by the Licensing Officer or Police Constable.

Identification plates MUST be returned to the Council offices within 7 days upon expiry, revocation or suspension of the licence.

## **8. STANDS (TAXI RANKS)**

The Council will from time to time determine the location of stands within its District in accordance with, and pursuant to Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

## **9. SAFETY EQUIPMENT**

### **(a) Fire Extinguisher**

For the protection of passengers and the driver, the Council requires that all licensed Hackney Carriages will carry a fire extinguisher that is in date and conforms to the British and European standard.

Every Hackney Carriage is required to carry a fire extinguisher, which must be approved by the Council. The extinguisher must be secured in the driving compartment of a hackney carriage

**Note.** An approved extinguisher should be either (a) a dry powder extinguisher of at least 1 kilogram in weight and marked as complying with BS5423, or (b) an AFFF extinguisher of at least 1 litre capacity to BSEN3: 1996 all extinguishers must have a visual gauge to indicate the state of charge.

The Council's policy shall require that the vehicle registration mark, in which it is kept, will be permanently written on the extinguisher to avoid removal and exchange with another vehicle.

### **(b) First Aid Kit**

Every licensed hackney carriage shall carry a suitable first aid kit for use in an emergency.

### **(c) Spare wheel**

Many vehicles are no longer fitted with any type of standard spare wheel and the provision for a puncture is met by equipping the vehicle with a 'space saver' spare wheel or 'run flat tyres' or by providing a sealant that can be used to seal and inflate a punctured tyre. In cases where a full sized spare wheel is provided for use, the driver/owner shall continue to use this type of wheel and tyre.

Council policy and licence conditions shall allow the provision of a 'space saver' spare wheel if fitted or the provision of a tyre sealant or 'run flat tyres'. All to be in accordance with the manufacturers specifications at the time of first registration by the DVLA. In

every case where this occurs the driver/owner shall be required to sign a 'method statement' designed to highlight driver responsibilities with regard to the maximum permitted speed when using these devices and an acknowledgement that these devices are designed only as a 'get-you-home' measure. The punctured tyre shall be repaired and returned to use as soon as practicable.

#### **(d) Seat belts**

Under the Motor Vehicles (Wearing of Seat Belts) Regulations 1993, all occupants of a hackney carriage must wear a seat belt. Hackney Carriage drivers may claim an exemption if plying for hire, answering a call for hire, or when actually carrying a passenger for hire. The exemption cannot be claimed when driving from home to office, or when not plying for hire.

The Council's licence conditions prohibit the carriage of a child below the age of 10 in the front seat of a vehicle, or more than one person above that age. This means that mothers with babies must be seated in the rear seat.

It is the responsibility of the driver to ensure that children, i.e. under the age of 14, wear seat belts. Child seats must be used in the rear seats with adult seatbelts where the child is up to 3 years of age and under 135 cms (4'5") in height. Children over this age or height may travel using an adult seatbelt only. As far as taxis and private hire are concerned, an adult seatbelt can be used for children of 3 years of age if the right child seat is not available. Children under 3 years of age may travel unrestrained in the rear of a hackney carriage if no child seat is available

#### **(e) Warning Triangle and Reflective Jackets**

All licensed Hackney Carriages will be equipped with a warning triangle and reflective high visibility vests to EU standard EN 471 class 2. This equipment shall be used at the discretion of the driver in order to safeguard all persons in the event of a mechanical breakdown, accident or other emergency.

### **10. APPROVED ROOF SIGNS**

It is a requirement that all Hackney Carriages shall carry an approved roof sign, capable of illumination when the vehicle is not hired.

### **11. ADVERTISING**

Suitable advertisements will be allowed on the inside and outside of the vehicle subject to prior written approval of the Council.

Advertisements inside the vehicle may be displayed only on the base of the occasional seats or along the bulkhead on top of the passenger/driver partition. All such advertisements must be covered in clear non-flammable plastic.

Suitable outside advertisements may only consist of a single full livery advertisement, or, an advertisement displayed on the lower panel of the front doors. On termination of the advertising contract all remnants of the advert attached or displayed on the vehicle shall be professionally removed.