

HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS – Taken from Section 6 of the 4th Amendment of the Council’s Policy on the Administration and Regulation of Hackney Carriage and Private Hire Licences (effective 1st November 2021)

8. Vehicle Identification

All licensed vehicles must have all required signs displayed on the vehicle as follows:

- 1) The identification plate and door signs issued by the Council must be permanently fixed to the vehicle, kept in good condition and clearly visible at all times.
- 2) All above required signs must be securely fixed onto the vehicle by one of the Council’s approved garages. The plate must be fixed using rivets, or indirectly by means of the bracket which can be purchased separately and the doorsigns must be permanently fixed to the vehicle. Removable signs, e.g. magnetic, are not permitted.
- 3) All vehicles shall be fitted with a roof sign indicating on the front in letters of the same size either; “TAXI/TACSI FOR HIRE”, “FOR HIRE” or “TAXI/TACSI”. Any variation to this requirement will require the written authorisation of the Council.
- 4) All vehicles must display, as may be directed by the Council, any signage that may be provided by the Council giving passengers information about ways to make a complaint.
- 5) Vehicles may display writing which advertises the services that the vehicle offers, e.g. Wheelchair accessible, airport transport etc. These signs shall not be so large as to obscure or detract from the required signs.
- 6) No other signs will be permitted to be displayed anywhere on the vehicle without the written approval of a licensing officer. This approval will not normally be granted unless there are exceptional circumstances.
- 7) The external licence plates and door signs shall remain the property of the Council and must be returned to them within seven days after service on the proprietor of an appropriate notice by an authorised officer of the Council.
- 8) The door signs issued by the Council must be fixed to the rear passenger doors on both sides of the vehicle by means of the adhesive backing on the door sign by the Council’s approved garage.
- 9) The proprietor and driver of the vehicle shall ensure the identification plates and door signs are maintained and kept in such condition that the information contained on the plate is clearly visible to public view at all times
- 10) A licensed vehicle must display the plate issued by the Council at all times (Section 48 LG (MP) Act).
- 11) On revocation or expiry of the vehicle licence, the plates must be returned to the Council within 7 days (Section 58 LG (MP) Act), unless a suspension notice has been issued.
- 12) It is an offence to transfer a plate without prior consultation with the Licensing Section.
- 13) Any authorised officer of the Council or Police Constable is entitled to remove and retain the said plate, or to require the plate to be returned. Anyone not returning a plate to the Licensing Section when requested to do so could be liable to prosecution and a charge for the plate may be taken against that person.
- 14) The loss or damage of a plate must be reported immediately to the Council.

9. Inspection and Fitness of the Vehicle

- 5) All vehicles over 1 year, from their date of first registration must be tested at Council approved garages, which are Vehicle and Operator Service Agency (VOSA) approved for vehicle inspection, at intervals specified in the table below;

Vehicle Age	Testing Schedule	Test Exemption Certificate Duration
0 -1 year	No test required	N/A
Over 1 year and under 8 years.	2 tests per year	6 months
8 years and over	3 tests per year	4 months

- 6) The number of tests required will be determined by the age of the vehicle at the time the licence is renewed, even if the vehicle subsequently reaches a higher age limit within the term of the licence.
- 7) The licence holder will be required to pay for the appropriate number of tests. The cost of any additional tests or failures will be the responsibility of the vehicle's proprietor.
- 8) All vehicles must be tested in accordance with the standards required by the testing facility authorised by the Council. A valid exemption certificate issued by the testing station will be required to support any application for a licence.
- 9) All vehicles must be presented at the garage in a thoroughly clean condition inside and out.

- 10) The proprietor shall permit an authorised officer of the Council or a Police Constable to inspect and test a vehicle at all reasonable times.
- 15) A vehicle, which has failed the vehicle inspection test, must be submitted for a re-test to the vehicle examiner approved and appointed by the Council on the defects found within 10 working days from the date of the test. The vehicle must not be used for hire during the interim period.

11. Fire Extinguishers and First Aid Kits

- 1) The Council does not recommend that untrained people try to extinguish a fire, but must instead ensure that the vehicle is evacuated, the area around the vehicle cleared to a safe distance, and the fire service is called to tackle the fire. Personal safety is a priority over minimising damage to the vehicle.
- 2) It is no longer a requirement of the Council's policy to carry fire extinguishers in licensed vehicles. However, if a fire extinguisher is carried in a vehicle, it must comply with the following criteria to ensure it is safe for use.
- a) Any extinguisher must be a 1 kg minimum capacity dry powder or other suitable type extinguisher having a minimum ABC rating as defined in BSEN 3 British Standard for portable fire extinguishers.
- b) Any fire extinguishers must be serviced and tested as required by the latest fire safety regulations by a competent engineer and should only be used by a competent operator.
- 3) First aid kits must be carried in all licensed vehicles, and these must conform to the standards and contain items listed in Schedule 7 of the Road Vehicles (Construction and Use) Regulations 1986. The first aid kit must not carry such items, namely aspirin or other tablets or creams, tourniquets, iodine

and sal volatile. The first aid kit should be protected against contamination and the kit should contain at least the following:-

- a) ten antiseptic wipes, foil packed;
 - b) one conforming disposable bandage (not less than 7.5cm wide)
 - c) two triangular bandages
 - d) one packet of 24 assorted adhesive dressings;
 - e) three large sterile un-medicated ambulance dressings (not less than 15.0cm x 20.0cm);
 - f) two sterile eye pads, with attachments;
 - g) twelve assorted safety pins
 - h) one pair rustless blunt-ended scissors; and
 - i) five pairs of sterile disposable gloves.
- 4) The first aid kit should be kept in the front of the cab or in the boot of the said vehicle and be readily accessible to the driver.
 - 5) The first aid kit will have permanently printed on it the Council's private hire or hackney licence number of the vehicle for which it is used.

PLEASE NOTE:

- 1) The use / non-use of first aid kits by those other than a self-employed person upon himself is a matter of a private law nature and it is advised that other persons seek their own advice.
- 2) Self-employed drivers should be aware of the legal requirement of the need for first aid equipment within their vehicles, in order for them to render first aid upon themselves whilst at work, under the Health and Safety (First Aid) Regulations 1981 and that it is an offence under Section 33(1) of the Health and Safety at Work Act, 1974 not to do so.
- 3) Licensed drivers should be aware that they may incur liability in rendering first aid to others and are advised that, if in doubt, they should seek their own professional advice, which may include insurance issues.

12. Type of Vehicle and Condition of Licence

The proprietor and driver shall observe and perform the following terms and conditions in respect of Hackney Carriage Vehicle licences:

- 1) Within 48 hours of any arrest and release, and then after any subsequent conviction, binding over, caution, warning, reprimand or arrest for any criminal or motoring matter (whether or not charged) imposed on him / her during the period of the licence, notify the Council and provide full details of the matter(s). The following matters shall be reported:
 - a) any conviction (criminal or motoring matter);
 - b) any caution (issued by the Police or any other agency);
 - c) issue of any Magistrate's Court summonses against you;
 - d) issue of any fixed penalty notice for any matter;
 - e) any harassment or other form of warning or order within the criminal law including anti-social behaviour orders or similar;
 - f) arrest for any offence (whether or not charged);
 - g) any acquittal following a criminal case heard by a court;
 - h) any refused of any type of licence by any other regulatory authority or any such licence is suspended, revoked or not renewed.
- 2) Any significant alteration in the design of the vehicle whether to the machinery or to the body, shall be reported to the Council, who may require the proprietor to submit the vehicle for further examination, which will be at the proprietors expense.

- 3) Tinted glass shall conform to the legal requirements of the current Road Vehicle (Construction and Use) Regulations.
- 4) Vehicle proprietors and drivers shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons, exclusive of the driver, than the number of persons specified in the licence.
- 5) Any radio/cassette/CD or other entertainment sound system fitted in the vehicle may only be used with the consent of the hirer of the vehicle. When operated the system shall not cause annoyance to other persons by reason of loud continuance or repeated use.
- 6) The interior of all vehicles must be kept clean and hygienic and, if the interior is soiled, the vehicle must be taken out of service and cleaned before it is returned to service. It is the responsibility of the driver to ensure that the vehicle is clean before picking up the next passenger.
- 7) The Public Health (Wales) Act 2017 prohibits smoking in enclosed places, all licensed vehicles are designated as an enclosed public space and therefore it is unlawful for any person to smoke in a licensed vehicle at any time, including any time when it is not being used for hire. Prescribed No Smoking signs must be displayed. The smoking of electronic cigarettes or similar is also prohibited in licenced vehicles.
- 8) The exterior of the vehicle must be kept in good condition and any damage must be repaired to the original vehicle's standard. No vehicle may be used with damaged bodywork without the written approval of a licensing officer. The paintwork must be maintained in good condition as if the vehicle was new and the exterior of the vehicle must be kept clean at all times.
- 9) The proprietor of the hackney carriage in respect of which a vehicle licence has been granted by the Council shall inform

the Council in writing of any change of address as soon as is practicable and in any event within seven days.

The proprietor and driver of a designated wheelchair accessible vehicle shall observe the following additional conditions in respect of their wheelchair accessible vehicle:

- 1) The proprietor of a licensed wheelchair accessible vehicle must demonstrate to every driver of the vehicle how to assist a passenger in a wheelchair into and out of the vehicle and correctly secure the wheelchair in the vehicle. This will include showing the driver how to deploy the ramp(s) and how to use and adjust the restraints. The proprietor must keep a record of this demonstration and include the following:
 - a) The date of the demonstration
 - b) The name and licence number of the driver
 - c) A signed and dated acknowledgment by the driver that the demonstrating has taken place and he/she clearly understands how to transport a passenger in a wheelchair into the vehicle
- 2) The proprietor must retain this record for as long as the driver is using the vehicle and for 6 months thereafter. If the driver rents the vehicle again in future the proprietor must repeat the demonstration and record.
- 3) In the case that the proprietor is also the licensed driver of the vehicle, the proprietor shall record a signed acknowledgement to certify that he can perform the vehicle manufacturer's instructions on how to safely transport a wheelchair passenger into and out of the vehicle and how to secure the wheelchair.
- 4) These signed training records and signed acknowledgement shall be made available for inspection by an authorised officer of the Council within 48 hours of a request being made.

13. CCTV and Video Point of Impact Systems (VPIS)

- 1) CCTV can provide a deterrence to those wishing to cause harm to passengers travelling in taxis and private hire vehicles or indeed the drivers of those vehicles. However, the Council does not consider it justifiable at this time to require the installation of CCTV systems in all licensed vehicles. Proprietors and drivers are encouraged to install such systems within their vehicles for their and their passengers' safety but this is at their discretion. Where an internal CCTV system is installed in a private hire vehicle, it must meet or exceed the any specifications that may be set by the Council and any conditions relating to the system must be complied with.
- 2) The Council also recognises the benefit of video point of impact systems (external facing dash cams) and therefore permits the use of these systems in hackney carriages. Where a VPIS system is installed in a hackney carriage, it must meet or exceed the specifications set out in the Council's Video Point Of Impact System (VPIS) Policy And Conditions (see Appendix J of the Policy on the Administration and Regulation of Hackney Carriage and Private Hire Licences.). The conditions shall apply to the vehicle licence whilst the system is installed in the vehicle.

14. Transfer of Ownership

- 1) Where a licensed vehicle is sold to another person who wishes to use it as a hackney carriage, they may transfer the licence to the new owner providing the vehicle is less than 8 years old.

15. Additional provisions

- 1) In the event of a road traffic accident involving a hackney carriage, which causes damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein, the accident must be

reported to the Council as soon as practicable and in any event within 2 working days.

- 2) The proprietor shall notify the Council as soon as reasonably practicable but, in any event, within seven days, if the information supplied in his application for a hackney carriage licence is altered for any reason or manner, unless an alternative timescale for a particular notification is specified elsewhere in this policy
- 4) On being so required by an authorised officer, the proprietor shall produce to that officer for examination a Certificate of Insurance issued by an approved Insurance company in respect of the vehicle for the purposes of Part VI of the Road Traffic Act, 1988 or vehicle test certificate/exemption provided that if the proprietor fails to produce such a certificate to the officer on request, the proprietor shall within seven days of such request, produce it to that officer or to any authorised officer of the Council at the designated Council offices. (Section 50 LG (MP) Act).

16. Taxi Meter

The hackney carriage vehicle must be provided with a taximeter that is so constructed, attached and maintained so as to comply with the following requirements, that is to say

- 1) The taximeter shall be fitted with an appropriate device bearing the words "FOR HIRE" on each side thereof in plain letters, at least two inches in height, of the appropriate device, so that the words are conveniently legible.
- 2) The taximeter shall not begin operation until the hirer's journey has commenced.
- 3) Prior to hiring, no fares shall be recorded on the face of the meter.

- 4) The taximeter must be programmed with the current tariff as approved by the Council and, when the taximeter is in action, there shall be recorded on the face of the meter, in clearly legible figures, a fare not exceeding the rate of fare which the proprietor or driver is so authorised to charge.
- 5) The word "FARE" or similar, shall be printed on the face of the taximeter in plain letters so as to clearly apply to the fare recorded thereon.
- 6) 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.
- 7) The taximeter and all the fittings thereof shall be so affixed to 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 seals or other appliances.
- 8) The proprietor of a hackney carriage shall cause the current table of fares, fixed by the Council, to be exhibited inside the carriage in clearly distinguishable letters and figures, together with a notice displaying the limitations on the fare rates and charges to be made.
- 9) The proprietor 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 fitting thereof or with the seals affixed thereto.

- 10) Calibration certificates must be produced to the Council when issued.

17. Fares

For every journey, the taxi meter must be engaged at the commencement of the journey and no more than is displayed on the meter at the end of the journey can be charged. The fare is negotiable with the hirer provided that, if no negotiation is entered into, no fare greater than that displayed on the meter can be charged. The meter must always be in use when carrying passengers. (Section 66 LG (MP) Act).

18. Retention of Drivers Licences

A vehicle proprietor must retain in his possession, the paper counterpart of the driver licences issued by the Council, of all drivers driving his vehicle(s) (Section 48 TPCA).

19. Obstruction of Other Drivers

It is an offence to wilfully obstruct the driver of another hackney carriage in setting down or picking up passengers or to prevent another driver from being hired (Section 64 TPCA)

20. Refusing to Drive

It is an offence for a driver, whilst the hackney carriage is standing in any street, to refuse, without reasonable excuse, to drive to any point within the Torfaen County Borough Council area (Section 53 TPCA).