

**VEHICLE SPECIFICATIONS UNDER EXISTING 'WEST SOMERSET' TAXI AREA POLICY:**

**APPENDIX 'C**

**6.0 VEHICLES – REGULATIONS AND CONDITIONS**

**Unless otherwise stated, these regulations/conditions apply to both Hackney Carriage and Private Hire Vehicle licensing.**

**General Vehicle Specification:**

- 6.1 All new Hackney Carriage licence plates issued after the 10<sup>th</sup> May 2006 shall only be issued to disabled complaint vehicles, to the following specification:
- a) London style cab, or similar with full wheelchair access facilities (without the requirement to remove seats to obtain wheelchair compliance) such vehicles to be defined as a purpose built hackney carriage with side loading wheelchair access and which has either:
    - i) achieved National Low Volume Type Approval in its final format; or
    - ii) been fully tested to M.1. category, such testing having been witnessed by the Vehicle Certification Agency.
  - b) Vehicles which have been confirmed to comply with these specifications, and have as a result become licensed, shall remain compliant with these standards throughout the duration of the licence.
  - c) Any transfer of Hackney Carriage Vehicle plate in respect of wheelchair accessible vehicles received after the 15<sup>th</sup> May 2006 shall only be transferred to wheelchair accessible vehicles conforming to the above regulation.
- 6.2 In view of the potential confusion to the public by virtue of the fact that such vehicles may lead people to believe that the vehicle is a Hackney Carriage, London Taxis/vehicles of a similar design are prohibited from being granted a Private Hire Vehicle Licence in West Somerset.
- 6.3 Any vehicle presented for licensing for the first time should not be more than 3 years old from the date registered as new in the vehicle registration document for a saloon type vehicle, or 4 years old for a purpose built wheelchair accessible vehicle (but see 6.4 below) and must not require or have required the removal of seats to comply with the Regulations. Any application to dispense with the requirement of this Regulation in relation to the removal of seats (whether in the past, present or future) will be made to and considered by the Licensing Panel of the Council and will be determined on a case by case basis and according to the particular circumstances of that case.
- 6.4 Vehicles up to 5 years of age may be considered by the Licensing Officer where the following criteria can be met:
- No more than average mileage (calculated at 12,000 miles per year)
  - Good bodywork (no dents, scratches or evidence of accidents)
  - Evidence of complete full service history
  - Compliance in all other respects with the regulations.
- 6.5 A vehicle will not generally be licensed as a Hackney Carriage/Private Hire vehicle once it has passed the age of 10 years old from the date registered as new in the vehicle registration document.

**NOTE:** If a vehicle proprietor wishes to licence a vehicle outside of the requirements of 6.2 (other than where 6.4 applies) or 6.5, application must be made to the Council's Licensing Panel detailing their reasons for dispensation from the requirements.

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- 6.6 All vehicles shall have an engine size not less than 1250cc.
- 6.7 All vehicles, including Multi Purpose Vehicles, must have sufficient safe and suitable access and egress from the vehicle for the driver and passengers, excluding the rear exit. Access to and egress from the vehicle must at all times be available in respect of each seat without the need to move or adjust any seating.
- 6.8 The licensed vehicle shall be so designed that it shall:
- a) have a minimum of 4 doors
  - b) provide seatbelts for all passengers
  - c) provide a minimum of 16 inches/406mm of clear space width per passenger seat measured along the narrowest part of the seat per passenger.
  - d) provide a minimum of 9 inches/229mm of clear knee room per passenger, measured from the front portion of the passenger seat to the rear of the seat in front.
  - e) provide adequate means of heating and ventilation for all passengers
  - f) provide drivers mirrors on the near and offside
  - g) not be a convertible/cabriolet type vehicle
  - h) be right hand drive only

### **Licence Plates**

- 6.9 At all times when plying for hire, or when hired, the Hackney Carriage/Private Hire Plates issued by the Council shall be securely fixed and displayed as follows:
- a) the small licence plate to be clearly displayed inside the vehicle on the left hand side of the vehicle windscreen, and;
  - b) the large licence plate shall be displayed on the outside rear of the vehicle where it is clearly visible to members of the public.
- 6.10 The Hackney Carriage/Private Hire licence plates shall be, at all times, clearly visible and maintained in a clean, tidy and legible condition.
- 6.11 In the event of loss of a plate, the proprietor shall report the loss to the Police and Local Authority. A replacement plate may be issued on payment of the relevant fee.
- 6.12 Trailers must also display a current licence plate when being used.
- 6.13 The licence plates remain the property of the Council at all times and shall be returned to the Council on expiry, or within 7 days of a notice of suspension, revocation or refusal to renew the licence having been served. The Council reserves the right to require additional/alternative licence plates to be displayed at their discretion.

### **Signage**

- 6.14 No markings, (excluding original signage provided as part of the fabric of the vehicle by the manufacturer), shall be displayed on or from the vehicle (including the rear and front windows) other than markings authorised by the Council as follows:
- a) front driver and front passenger doors; and
  - b) rear (boot) of vehicle.

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Please give details of the sign(s) you wish to display. These should be submitted with the licence application or within 14 days of proposed use to ensure full approval

- 6.15 On Private Hire Vehicles, the display of the word 'TAXI' or 'CAB', whether in the singular or plural and whether alone or as part of another word or the words 'FOR HIRE' or any form of wording which in any way suggests that the vehicle on which it is displayed is presently available to take up any passengers wishing to hire it, or would be so available if not already hired, is prohibited.
- 6.16 Roof signs may be displayed on Private Hire Vehicles, provided that:
- a) the wording of the roof sign states only "Advanced Bookings Only" on the front of the sign with the telephone number of the operating company on the reverse; and
  - b) the sign is white to the front and red to the rear, with any wording in black lettering; and
  - c) the sign complies at all times with any necessary legislation including any vehicle lighting regulation requirements, if and when illuminated; and
  - d) the sign has been approved in writing by the Council prior to its first display.

### **Taximeters**

Private Hire Vehicles do not need to be fitted with a taximeter, but if one is fitted, the regulations below apply:

- 6.17 At all times when the vehicle is in use as a hackney carriage/private hire vehicle, it shall be provided with a taximeter, so constructed, attached and maintained as to comply with the following requirements:
- a) When the taximeter is turned on, the fare on the taximeter shall be clearly visible to passengers.
  - b) the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practical for any person to tamper with them.
  - c) The proprietor shall not permit any person to tamper with any of the seals on the taximeter.
- 6.18 On each occasion that the vehicle is hired, the driver/proprietor shall ensure that the meter is turned on at the commencement of the journey. The driver/proprietor may charge less than the fare shown on the meter but not more.

### **Fare Card**

- 6.19 At all times when the vehicle is in use as a licensed vehicle, a current fare card showing the fare which may be lawfully charged shall be displayed by fixing it to the interior of the vehicle, in such a position and manner that the letters and figures shall be plainly visible and legible at all times to persons being carried therein.

### **Drivers**

- 6.20 No person is authorised to drive the vehicle other than a person currently licensed with the Council as a Hackney Carriage/Private Hire vehicle driver and wearing the official badge (subject to any specific exemption granted by the Council).

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### **Renewal**

- 6.21 No licence will be eligible for renewal unless:
- a) during the licensing period for which it is granted the licence plate is affixed to an approved vehicle in the proprietorship of the original applicant; and
  - b) all appropriate application forms and fees and any necessary inspection forms are received at least 7 days prior to the renewal date.

The vehicle can only be re-licensed by the current/former holder of the licence.

- 6.22 If there will be a delay in renewing the licence, the Council must be notified in writing at least 7 days before the expiry of the existing licence, such notification to include a written undertaking not to operate the vehicle until a new licence has been issued.
- 6.23 If the above condition is not met and a letter issued by the Council confirming the arrangement, any late application to renew the licence may be treated as a new application and will not automatically be renewed; a formal written warning will be issued to the proprietor in this respect. Offenders run the risk of their licence not being renewed.
- 6.24 The licence plate must be returned to the Council within 7 days if the vehicle licence expires. Failure to do so will render the Licensee liable prosecution and a fee may be charged.
- 6.25 Any applications for the renewal of a Hackney Carriage/Private Hire Vehicle Licence submitted after the deadline for renewals will be referred to the next available Licensing Panel for consideration and will not be licensed to operate in the meantime.
- 6.26 In the event of a vehicle being found to be operating after the existing licence has expired, any subsequent application for the renewal of the licence may be refused.
- 6.27 In the event of the death of an owner of a Hackney Carriage/Private Hire Vehicle Licence during the period of the licence, the right to renew the licence will automatically be transferred to the owner's personal representative.

### **Transfer Of Ownership**

- 6.28 Any transfer in the ownership or part-ownership of the licensed vehicle must be notified to the Council, by the person named on the application form as owner of the vehicle, in writing, within 14 days of such transfer taking place, specifying the name and address of the person to whom the vehicle has been transferred.
- 6.29 The vehicle licence will then be transferred if the new owner requests the transfer in writing, on the appropriate form, and pays the appropriate fee.

### **Transfer Of Vehicle Licence**

- 6.30 Licenses cannot be transferred between vehicles. Every vehicle must have its own licence application approved before it can be used as a Hackney Carriage/Private Hire vehicle.

### **Damage**

- 6.31 The proprietor must notify the Council of any accident to the vehicle materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers within 72 hours (3 days) of the accident occurring.

### **Use Of Temporary Replacement Vehicle**

- 6.32 In the event of a licensed vehicle being unavailable for a few days, i.e. due to an accident, repairs being carried out etc, if the licensee wishes to use an unlicensed vehicle as a temporary replacement s/he must first obtain permission from the Council, such permission not to be unreasonably withheld, subject to the following conditions being met:
- a) that the replacement vehicle is in a safe mechanical condition – current MOT certificate to be provided;
  - b) that the replacement vehicle is inspected, at the applicants expense, by the Councils nominated inspecting garage and the appropriate Certificate of Compliance submitted to the Council;
  - c) that the insurance company agree to provide cover for the replacement vehicle – insurance document confirming this must be provided;
  - d) that it is only for a maximum of 14 days;
  - e) that any appropriate information relating to the replacement vehicle, such as registration number, type of vehicle etc is supplied, together with the length of time it is to be used;
  - f) a temporary licence/plate will be issued, to be collected from the Council and displayed in the back window of the temporary vehicle. The licence/plate to be returned to the Council at the end of the temporary period. A charge of £25.00 will be levied if the plate is not returned.
- 6.33 If the arrangement is to last longer than a maximum of 14 days, the applicant must notify the Council, in writing.

### **Inspections/Stop Notices**

- 6.34 Any vehicle which is the subject of an application for a Licence will be examined (including mechanically) by a duly authorised Officer of the Council prior to the issue or renewal of a Vehicle Licence and on such other occasions as necessary and the applicant must take the vehicle in a clean condition, together with the Certificate of Compliance for the vehicle to the place appointed for such examination.
- 6.35 In cases of applications for renewal of a Licence, the vehicle must be presented for compliancy testing not less than 7 days and not more than 28 days prior to the date of renewal of the Licence in order for licences to be reissued at the commencement of the new licensing period unless the vehicle has been satisfactorily inspected within the last 6 months in which case the Council will notify the applicant of the date the next inspection is due.
- 6.36 The Licensee shall, if requested by an authorised Officer of the Council or Police Officer, produce for inspection the Vehicle Licence, Certificate of Insurance and Certificate of Compliance.
- 6.37 An authorised Officer of the Council or any Constable may at all reasonable times inspect and test the vehicle and taximeter to ascertain their fitness. In the event of serious defects being found, the Hackney Carriage/Private Hire licence plate will be removed and a Stop Notice issued to the Driver/Proprietor of the vehicle; such Notice to remain in force until the necessary remedial works have been carried out.
- 6.38 The offences for which the Stop Notice would apply are as follows:
- a) Contraventions of the Road Vehicle (Construction and Use) Regulations 1986.

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- b) Serious bodywork defects.
- c) The interior condition of the vehicle failing to meet the appropriate standards as regards cleanliness
- d) Missing and/or faulty vehicle equipment, i.e. spare wheel, jack, brace, fire extinguisher.
- e) Hackney Carriage/Private Hire vehicle plate insecurely fitted.
- f) Defects with the taximeter.

### **Inspections During Course Of Licence**

- 6.39 In the event of an allegation being received during the period of the licence that a vehicle/taximeter is not of a satisfactory standard/operating correctly, the licensee may be required by the Council to undertake a further inspection at the Councils nominated inspecting garage.
- 6.40 If the vehicle fails to pass an inspection test, the costs of the test will be borne by the licensee.
- 6.41 Any vehicle failing to pass an inspection at the garage must not be operated until such time as the vehicle has been reinspected and a Certificate of Compliance issued, unless prior permission has been obtained from the Council.

NOTE: The vehicle must be presented for inspection within seven days if the licensee is requested to do so by the Council; failure to arrange/pass an inspection within the seven day period may mean that the matter would have to be reported to the next available Licensing Panel.

### **Trailers**

- 6.42 Trailers may only be used with the prior approval of the Council and subject to the following requirements:
  - a) Trailers shall be purpose built luggage trailers of commercial manufacture.
  - b) Trailers must be presented at the Councils inspecting garage for inspection at the time the vehicle undergoes its plating test. An additional charge will be made by the inspecting garage
  - c) Trailers may only be issued in connection with private hire bookings and cannot be used for plying for hire on a rank.
  - d) Trailers must at all times comply with the requirements of Road Traffic legislation in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.
  - e) The vehicle insurance must include cover for towing a trailer.
  - f) Trailers must not be left unattended anywhere on the highway.
  - g) The speed restrictions applicable to trailers must be observed at all times.
  - h) A suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use.

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- i) Trailers must display a valid trailer plate issued by the authority, which must be fixed to the rear of the trailer, due to the vehicle plate being obscured from view by the trailer when in use.

### **Change Of Address**

- 6.43 Any change in the address at which the vehicle is usually kept must be notified to the Council, in writing, within 7 days of the change of address.

### **Proprietor Responsibilities:**

- 6.44 At all times, the proprietor 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 watertight;
  - c) 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, clean and free from any tears, damage grease or any other contaminants’;
  - e) ensure the floor is 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 proper and sufficient accommodation for luggage and a means of securing such luggage;
  - h) provide a fire extinguisher that meets the following specification:
    - of an approved type, manufactured to BS-EN3
    - minimum of 1k powder
    - securely mounted within a retaining bracket
    - serviced annually to BS-5306-3
    - the extinguisher to be accompanied with a Certificate of Conformity valid for 12 months from the date of the annual service
    - carry a service record and be fitted with an anti-tamper tag
    - marked in permanent marker with the registration number of the vehicle in which it is fitted.

A label giving the location of the extinguisher to be displayed if the extinguisher is not immediately visible to driver and passengers

The certificate should be provided at each renewal.

- i) ensure that the vehicle is in a clean and tidy condition at all times;
- j) carry a suitable First Aid kit; (Guidance is provided at appendix ‘F’)
- k) ensure the body shell, including doors, panels, wings, bumpers and interior floor area are maintained in good condition, free from rust, holes, broken metal or any other visible damage.

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- l) ensure the paintwork is maintained in a uniform colour as recorded on the registration document.
- m) ensure floor coverings are kept in good condition, clean and free from any contamination.
- n) ensure the interior trim is kept in good condition, clean and free from any tears, damage, grease or any other contamination.
- o) ensure door hinges are kept in good order, all working and doors 'seat' correctly when closed.
- p) ensure windscreen and windows are kept in good clean condition and free from damage.
- q) ensure side windows and winders are kept in good order and all working correctly.
- r) ensure spare wheel, brace and jack are kept in good condition and are carried in an easily accessible position on all vehicles at all times.
- s) ensure the boot or luggage compartment is kept clean and free for the accommodation of passenger's luggage.
- t) ensure the engine is kept free from oil leaks

### **Stretch Limousines**

6.45 Stretch limousines may be licensed as a Private Hire Vehicle for up to 8 passengers only, subject to the following additional conditions:

- a) No passengers to be carried in the front of the vehicle.
- b) All seats to be fitted with seat belts conforming to the current UK standard specification and be appropriate to the seating position.
- c) All vehicles must either meet the European Whole Vehicle Approval standard, the M.1. passenger vehicle requirements, or have a Single Vehicle Approval Test Certificate issued by the Vehicle Inspectorate Executive Agency, and QVM or MVM certification must be provided.
- d) Vehicle must be fitted with clear glass in the drivers compartment and may have tinted glass in the side and rear windows, subject to the rear window allowing a minimum of 70% light transmission.
- e) All limousines to be tested at the Councils nominated testing garage for limousines.

Stretch Limousines with 9 or more passengers are licensed by the Traffic Commissioners.

### **Legal Requirements**

6.46 Apart from the specific conditions set out above, the grant of a Hackney Carriage/Private Hire Vehicle Licence is subject to the provisions of the Town Police Clauses Act 1847 and of Part II of the Local Government (Miscellaneous Provisions) Act 1976, any other relevant statutory enactment and to such other terms and conditions from time to time specified by the Council. Attention is also drawn to any conditions, which must be attached to the grant of a Licence.



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- 6.47 Vehicles must comply with Sections 32 and 37 of the Disability Awareness Act 1995 and the Regulations made under the Act, where they apply. (The relevant extracts from the Act and Regulations can be obtained from the Council, on request).

NOTE: It is an offence to operate a vehicle without a current Licence for Hackney Carriage/Private Hire vehicle hire purposes. It is also an offence for an unlicensed driver to drive a licensed vehicle. Offenders may be liable to prosecution and/or the revocation of their licence. Insurance cover may be invalidated in the event of an accident.

If you are in any doubt, contact the Council.

ANY PERSON WHO:

- a) wilfully obstructs an authorised Officer or Police Officer acting in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847;
- b) without reasonable excuse fails to comply with any of the requirements properly made to him by such Officer or Police Officer under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847;
- c) without reasonable cause, fails to give such an Officer or Police Officer any other assistance or information which he may require for the performance of his functions under Part II of the Local Government (Miscellaneous Provisions) Act, 1976 or the Town Police Clauses Act, 1847, shall be guilty of an offence.

These conditions shall apply to Hackney Carriage/Private Hire vehicles licensed by West Somerset Council.

### **Revocation or Modification of Conditions**

The Council reserves the right to waive any requirements of these conditions at its absolute discretion.

The Council reserves the right to amend or add to any of the foregoing conditions, and notice thereof will be served on all licensees.