



## Private Hire Vehicles

A Private Hire Vehicle is defined in Section 80(1) of the Local Government (Miscellaneous Provisions) Act 1976 as:

*“a motor vehicle constructed or adapted to seat fewer than nine passengers, (other than a Hackney Carriage or Public Service Vehicle), which is provided for hire with the services of a driver for the purpose of carrying passengers.”*

A Private Hire Vehicle Licence is required by the proprietor of that vehicle before he permits it to act as a Private Hire Vehicle (Section 48 of the LG (MP) A 1976). A Private Hire Licence will be granted for the vehicle provided it meets the design and appearance requirements of the Council.

All vehicles used in a private hire operation must be licensed by the Council and duly plated.

**Once a vehicle is licensed as a Private Hire 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 Private Hire licence.**

### 1. METERS

A Private Hire Vehicle need not be fitted with a meter.

The Council does not fix Private Hire tariffs.

### 2. EXEMPTIONS FROM PHV LICENSING REQUIREMENTS

The Council may, by prior written notice, exempt the need for an operator to display the licence plate on a vehicle when the need for a driver to wear the personal badge is also waived. Where this exemption is granted the vehicle operator shall be issued with an exemption Statement of Declaration and a small licence plate which should be displayed inside the vehicle on either the front or rear window. The Statement of Declaration shall be retained in the vehicle at all times. The licensed driver shall not be required to wear their driver's badge but should have the badge with them.

Application made to the Council for an Exemption under Section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 will be determined by the Council as an adopted standard, namely for executive hire, journeys solely for a corporate customer or customers or where a private hire vehicle is used only for airport journeys.

**If at any time, the Exempted Vehicle is used for 'mainstream' short haul private hire bookings, the exemption shall not apply and all standard vehicle marking requirements shall apply in full.**

In cases where an exemption no longer applies the previously exempted vehicle must revert to the display of the licence plate and the driver must also wear his/her licence badge.

### **3. DISTINGUISHING FEATURES**

It is a legal requirement that Private Hire and Hackney Carriage Vehicles are readily distinguishable from each other. Section 48 of the 1976 Act 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 therefore requires that all Private Hire Vehicles are to be readily identifiable by the yellow licence plate affixed to the rear of the vehicle on the outside. In addition, two small licences are issued, one providing details of the driver and the other details of the vehicle. These licences must be affixed to the inside front windscreen.

Furthermore, all licensed Private Hire Drivers are issued with a personal identification badge. This has to be worn at all times when the licence holder is driving a Private Hire Vehicle.

Vehicles licensed for private hire are not permitted to carry any roof signs or external advertising, other than a 58mm (2¼") high strip across the base of the rear window showing the name of the private hire operator and telephone number. The sign must not contain the words "taxi" or "cab", or any other similar type of wording that could or might mislead the public into believing the vehicle is a hackney carriage.

Where a private hire vehicle is used for 'mainstream' short haul private hire work, in addition to the licence plate, private hire vehicle owners/operators will be required to affix a sign on both rear doors indicating that the vehicle **has** to be 'pre-booked'. The additional doorplates shall include the Council's logo and the vehicle licence number.

### **4. VEHICLE SPECIFICATION**

The Council requires that all vehicles must be suitable in type, size and design for the use as a licensed Private Hire Vehicle.

Section 48 of the 1976 Act also requires in addition that a Private Hire Vehicle must not be of such design and appearance as to lead any person to believe that the vehicle is a Hackney Carriage. In addition a Private Hire Vehicle must be in a suitable mechanical condition, safe and comfortable.

All Private Hire Vehicles first licensed with the Council will comply with **Euro 4** as a minimum vehicle emissions standard and requirement.

Existing licensed Private Hire Vehicles will not be affected by the revised emissions standard except on replacement.

The emission standard required in respect of the above condition will vary with the elapse of time.

Passenger seating capacity of vehicles must not exceed 8 in number. No vehicle will be licensed where access to any row of seats cannot be achieved without recourse to either tilting or displacing permanently installed or occasional passenger or driver seating. Every forward facing passenger seat must be provided with a lap and diagonal seatbelt except where there is no likelihood of a frontal impact injury being caused to a passenger's head or face, in which case a lap belt only would be permitted. No longitudinal seating will be permitted except in speciality vehicles such as stretched limousines.

## **5. SAFETY EQUIPMENT**

### **(a) Fire extinguishers**

Every licensed vehicle must carry a fire extinguisher of a type approved by the Council. The extinguisher must be secured in the boot of a private hire vehicle.

**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.

All Private Hire Vehicles will be equipped with a fire extinguisher. The Council's policy shall require that the vehicle registration mark will be permanently written on the extinguisher to avoid removal and exchange with another vehicle.

### **(b) 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.

### **(c) First Aid Kits**

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

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

Under the Motor Vehicles (Wearing of Seat Belts) Regulations 1993, all occupants of a hackney carriage or private hire vehicle must wear a seat belt. Private hire drivers may only claim an exemption when carrying a passenger 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. those 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 private hire vehicles are concerned, an adult seatbelt should 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 private hire vehicle if no child seat is available.

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

All licensed vehicles 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.

## **6. VEHICLE LOG BOOK**

Every licensed proprietor/owner will keep a **Vehicle Log Book**, to be retained with the vehicle at all times and be 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.

## **7. CCTV in VEHICLES**

The Council sees the provision of CCTV inside a hackney carriage or private hire vehicle as being a positive measure to prevent and detect crime. It is important that all licensed drivers have the option to protect themselves and the installation of cctv equipment, inside the vehicle, is an important step to reduce the likelihood of a risk from assault. Furthermore, the sound and image recordings made by the use of this cctv equipment may be used to refute an allegation or as evidence in connection with an offence.

## 8. MECHANICAL STANDARD and VEHICLE TESTS

A licensed Private Hire vehicle 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 six months.

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

Alternatively, the owner of a licensed Private Hire vehicle 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 and 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.

All Private Hire vehicles 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.

All Private Hire Vehicles 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 to the Council's Licensing Office along with the completed licence application form where appropriate. The applicant will pay for the charge for these examinations.

Following a Private Hire Vehicle 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 correctly completed application.

Periodic testing may also be required in accordance with Sections 50 and 68 of the Local Government (Miscellaneous Provisions) Act 1976. This is to ensure that all licensed vehicles are maintained in a roadworthy and safe condition. In the event of the Licensing Officer having reasonable cause to suspect that a licensed vehicle may be unroadworthy that Officer may require the Proprietor or driver of that vehicle to submit that vehicle for an immediate mechanical inspection (Section 68). The Proprietor will be required to pay the cost of that inspection and any further re-inspection in the event of the vehicle failing.