

## PRIVATE HIRE CAR DRIVER'S LICENCE CONDITIONS

- (1) The driver shall clearly display his taxi or private hire car driver's badge on his person.
- (2) The driver shall permit any passenger, police officer or authorised officer of the Council to inspect his private hire car driver's badge on request.
- (3) The driver shall ensure that his private hire car driver's badge remains in good condition and legible and, where the badge becomes in any way illegible or defaced, the driver shall immediately obtain a replacement from the Council. The driver shall pay the appropriate fee for obtaining such replacement. The driver shall not lend or permit any other person to use his badge or wear any other badge than such badge as has been issued to him by the Council.
- (4)
  - (a) The driver shall fulfil, or cause to be fulfilled, unless prevented by sufficient cause, at the time and location specified, an engagement for the hire which he has accepted or which has been accepted on his behalf by a representative.
  - (b) The driver shall fulfil that engagement punctually and shall immediately announce his arrival to the passenger at the place to which the vehicle has been summoned. **The driver shall not sound his horn for the purposes of alerting any passenger or prospective passenger as to the presence of the vehicle.**
  - (c) If a passenger does not commence his journey within five minutes of the arrival of the driver, or such additional period as may be agreed between the driver and passenger, the driver may refuse to fulfil the engagement. The driver shall be entitled to require payment of any engagement or other fee properly payable.
  - (d) The driver shall not refuse to fulfil an engagement as a result of a delay in the commencement of a hire caused by passenger disability. Under no circumstances may a waiting time or other charge be applied to any person who has required to delay the commencement of the hire as a result of a disability.
- (5) The driver of a private hire car shall, unless the cost of the journey is regulated by a licensing authority fare structure, inform the passenger before the journey commences (a) that the fare is not so regulated, and (b) the cost, or the method of calculating the cost, of the proposed journey.
- (6) A driver engaged on a hire shall not collect another passenger without the consent of the original passenger.
- (7) The driver shall not carry more than the number of passengers his vehicle is licensed to carry, nor shall he carry a greater number than there are seat belts available.
- (8) The driver shall not refuse to drive a passenger to any place within the Licensing area, except in accordance with Condition Number (9) below.
- (9) The driver need not convey any hirer or passenger:-
  - (a) who is drunk or otherwise not in a fit and proper state to be carried; or
  - (b) whose conduct or clothing is offensive or likely to cause damage to the interior of the vehicle; or
  - (c) who refuses to cease smoking in the vehicle when requested to do so by the driver; or

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- (d) who is accompanied by any animal (with the exception of a guide dog, a hearing dog or an assistance dog) which is likely to cause damage or soil the interior of the vehicle; or
- (e) for any other reasonable cause.

Nothing in this condition shall permit a driver to refuse to take a guide dog, a hearing dog or an assistance dog as required by Condition Number (10).

(10) Where a private hire car has been hired:-

- (a) by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog of that person; or
- (b) by a person who wishes such a disabled person to accompany that person in the private hire car;

and the circumstances specified in Condition Number (11) below do not apply, the driver of private hire car shall carry the disabled person's dog and allow it to remain with the disabled person and shall not make any additional charge for doing so.

(11) The circumstances referred to in Condition Number (10) above are that:-

- (a) a notice of exemption issued by the Council has been issued to the driver exempting him on medical grounds from the requirement to carry guide, hearing and assistance dogs and is in force; and
- (b) that notice is exhibited either by:-
  - (i) affixing it in a prominent position on the dashboard facing upwards; or
  - (ii) affixing it to the windscreen of the private hire car facing outwards.

(12) The driver shall not, in any circumstances whilst driving a private hire car, cause or permit a notice of exemption to be displayed in the private hire car which does not relate to the vehicle or type of vehicle being driven. The driver shall not cause or permit a notice of exemption to be displayed where the driver is, at that time, not exempt from complying with the requirement to carry guide, hearing and assistance dogs.

(13) The driver shall carry luggage provided that the luggage can be accommodated safely within the luggage compartment of his vehicle. The driver shall not permit any shopping trolley of the type supplied by self-service stores for the convenience of their customers to be carried.

(14) The driver shall give such assistance as he is able with loading and unloading luggage but he shall not be bound to leave the immediate proximity of the vehicle to do so.

(15) Prior to the commencement of any hire, the driver shall advise all passengers of the legal requirement to wear a seat belt.

(16) The driver shall comply with the Council's Dress Code for Private Hire Car Drivers. (see Schedule 1, attached).

(17) The driver shall not carry any child for whom there is inadequate seat belt or other safety restraint provision. It is the responsibility of the driver to ensure that any child under the age of 14 wears a seat belt or appropriate safety restraint unless the rear seats of the vehicle are separated from the driver by a fixed partition.

(18) The licence holder shall ensure, when driving a wheelchair accessible type vehicle, that the wheelchair user passenger must be permitted to stay seated in their wheelchair within the wheelchair accessible vehicle at all times and that the wheelchair must be secured by the licence holder to the appropriate floor anchorage points whilst the vehicle is moving

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- (19) The driver, while carrying passengers, shall be clean and tidy in his person, conduct himself in a proper and civil manner and shall not eat or drink.
- (20) The driver, whilst operating as a private hire driver, shall not smoke within the vehicle.
- (21) The driver shall drive to any requested destination by the shortest practicable route unless otherwise instructed by the passenger. The driver of a private hire car which has been hired on shared hire shall take the shortest practicable route which will serve the destinations of all the passengers whom he is carrying at any one time.
- (22) Where a taximeter is fitted to a private hire car, the driver shall not charge more than the maximum permitted by the relevant fares tariff set by the Council.
- (23) The driver shall ensure that any taximeter fitted in a private hire car is operated at all times.
- (24) The driver shall not knowingly allow the vehicle in his charge to be used for illegal purposes, permit to be carried any article of a dirty, noxious, explosive or dangerous nature, or permit to be carried any person who has vermin on his person, or has in his possession an open bottle or open vessel containing alcohol.
- (25) The driver shall search the vehicle at the end of his shift for any property that may have been left therein. Any property found by the driver shall, within 24 hours, be returned to the owner of the property, if known, or delivered by the driver to a police station.
- (26) The driver shall not stand or ply for hire in any public place, street or car park or use his vehicle as a taxi. The driver shall not accept a hire that has not been pre-booked. The driver shall not rank, stop when hailed or do anything else to suggest that a private hire car is available for hire without having been pre-booked.
- (27) The driver shall ensure at all times that the vehicle, including all bodywork, upholstery, fittings and accessories is in a safe, serviceable and clean condition. In particular, the driver shall be responsible for satisfying himself as to the availability of a fire extinguisher and the condition of the lights and tyres of his vehicle prior to commencing his shift.
- (28) A driver who changes his place of residence shall, within seven days of so changing, give notice of the change to the Council in writing and shall produce his licence to the Council for substitution of an amended licence.
- (29) The driver of a private hire car shall intimate in writing the details of any criminal conviction recorded against him, or fixed penalty accepted by him, within 28 days of the conviction or acceptance of the fixed penalty.
- (30) The driver shall notify the Council in writing of any medical condition relevant to the issue of fitness to drive or otherwise carry out the duties of the licensed activity.
- (31) The driver shall fully comply with all verbal or written requests for information from authorised officers of the Council within the time limits detailed in those requests.
- (32) A driver who ceases to act as a private hire car driver, whose licence is suspended or who is disqualified from driving for any period shall, within 7 days, deliver to the Council his licence and badge.
- (33) In the event of any contravention of any of these conditions, the Council are entitled to consider suspension of the licence in terms of Schedule 1 of the Civic Government (Scotland) Act 1982.

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- (34) All formal intimations and notifications should be sent in writing to the Chief Officer of Legal and Democratic, North Lanarkshire Council, Civic Centre, Windmillhill Street, Motherwell ML1 1AB.
- (35) In these conditions the use of the singular implies the plural and the use of the masculine implies the feminine.

In these conditions:-

“The Council” means - North Lanarkshire Council.

“The Driver” means the holder of a private hire driver’s licence.

“Private hire car” has the meaning ascribed to it in terms of the Civic Government (Scotland) Act 1982 and, in particular, refers to a vehicle that may only be engaged for hire by a pre-booking arrangement.

“Taxi” has the meaning ascribed to it in terms of the Civic Government Act 1982 and, in particular, refers to a vehicle that may be pre-booked or engaged for hire in a public place for a journey beginning there and then.

“Shared”, as applied to the hire of a private hire car, means that each passenger is carried at a separate fare, payable to the driver; and “shared hire” shall be construed accordingly.

# **PRIVATE HIRE DRIVER'S LICENCE CONDITIONS**

## **SCHEDULE 1**

### **DRESS CODE FOR PRIVATE HIRE DRIVERS**

#### **Male Private Hire Drivers**

All male private hire drivers must wear a single coloured collared dress shirt or polo shirt with formal trousers and formal shoes or such other uniform as is approved in advance by the Council.

The following items may be worn if desired by the driver:-

- (1) Single coloured pullover or cardigan; and
- (2) Single coloured jacket.

#### **Female Private Hire Drivers**

All female private hire drivers must wear a single coloured blouse, dress shirt or polo shirt with formal trousers or a formal skirt and formal shoes or such other uniform as is approved in advance by the Council.

The following items may be worn if desired by the driver:

- (1) Single coloured pullover or cardigan; and
- (2) Single coloured jacket.

Small radio control/taxi/private hire company logos will also be permitted.

For the avoidance of doubt, the following items of clothing are not permitted:

- (1) Trainers or sandals.
- (2) Baseball caps.
- (3) Tracksuits or shell suits.
- (4) Denims.
- (5) Shorts.
- (6) Sports Tops.

(N.B. This list is not exhaustive)

Certain items of clothing not otherwise permitted may be worn in limited circumstances for medical reasons with the prior written consent of the Council, which consent shall not be unreasonably withheld.

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