

TAXI DRIVER'S LICENCE CONDITIONS

- (1) The driver shall clearly display his taxi driver's badge on his person.
- (2) The driver shall permit any passenger, police officer or authorised officer of the Council to inspect his taxi driver's badge on request.
- (3) The driver shall ensure that his taxi 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 may operate the taxi as an exclusive taxi, a shared taxi or a taxi-bus.
 - (b) A hirer or passenger may require the taxi to operate as a taxi-bus only if the taxi is displaying a notice indicating that it is operating as a taxi-bus.
 - (c) A hirer or passenger may require the taxi to operate as a shared hire only if the taxi is displaying a notice indicating that it is operating as a shared hire taxi.
 - (d) A hirer or passenger may require the taxi to operate as an exclusive taxi only. If the taxi is displaying a notice indicating that it is operating as an exclusive taxi.
 - (e) If the hirer or passenger is the first hirer or passenger, then that hirer or passenger may require the taxi to operate as an exclusive taxi even if the taxi is displaying a notice that it is operating as a shared taxi.
 - (f) The sole remaining passenger or hirer in a taxi (which was operating as a shared hire when the passenger or hirer's journey began) may require the taxi to operate as an exclusive taxi.
- (5)
 - (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. Where the vehicle has been pre-booked he 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.

- (6) The driver shall not carry more than the number of passengers his vehicle is licensed to carry, nor shall he carry a greater number of passengers than there are seat belts available.
- (7) The driver shall not refuse to drive a passenger to any place within the Licensing area, except in accordance with Condition Number (8) below.
- (8) The driver need not convey any passenger 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
 - (d) 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 (9).

- (9) Where a taxi or 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 taxi or private hire car, and the circumstances specified in Condition Number (10) below do not apply.

the driver of the taxi or 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.

- (10) The circumstances referred to in Condition Number (9) 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 taxi or private hire facing outwards.
- (11) The driver shall not, in any circumstances whilst driving a taxi or private hire car, cause or permit a notice of exemption to be displayed in the taxi or 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.
- (12) The driver of a taxi, while he is in charge of the taxi, shall not actively canvass or importune in any public place, street or car park for employment, except where the taxi is being operated on shared hire and then only to the extent that is reasonably required to ascertain whether there are any prospective further passengers (in addition to an existing passenger or existing passengers who wish to participate in the shared hire of the taxi).

- (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 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.
- (17) 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
- (18) The driver, while carrying passengers, shall be clean and tidy in his person and shall conduct himself in a proper and civil manner and shall not eat or drink.
- (19) The driver of a taxi, when the taxi is hired or standing for hire shall either sit in the driving seat of the taxi or stand in the immediate proximity thereto except during any period he may be absent to announce the arrival of his taxi to the hirer or when assisting the hirer with luggage to or from the taxi, or for any other necessary purpose.
- (20) The driver, whilst plying for hire or carrying passengers, shall not smoke within the vehicle.
- (21) The driver shall comply with the Council's Dress Code for Taxi Drivers (see Schedule 1, attached).
- (22) The driver shall drive to any requested destination by the shortest practicable route unless otherwise instructed by the passenger. The driver of a taxi which has been hired on a shared hire will take the shortest practicable route which will serve the destinations of all the passengers whom he is carrying at any one time.
- (23) The driver shall not charge more than the maximum permitted by the relevant fares tariff set by the Council.
- (24) The driver shall ensure that the taximeter fitted in the taxi is operated properly at all times.
- (25) 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.
- (26) The driver shall ensure that there is in place motor insurance which covers the driver to drive the vehicle as a taxi.
- (27) 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.

LICENCE HOLDERS ARE REMINDED THAT A FAILURE TO COMPLY WITH LICENCE CONDITIONS MAY LEAD TO CRIMINAL CONVICTION AND PENALTY AND/OR SUSPENSION OF A LICENCE IN TERMS OF PARAGRAPH 11 OF THE FIRST SCHEDULE TO THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982.

- (28) When a taxi is driven off a stance, the driver of the taxi immediately behind shall draw up his vehicle to take the place vacated, and the taxi drivers behind shall draw up their vehicles in a like manner in order to effect proper operation of the stance.
- (29) The driver of a taxi shall not stand for hire in a place that causes obstruction to any access, footpath or roadway and shall immediately move from a location on the instruction of a police officer or authorised officer of the Council, where that officer is of the stated opinion that an obstruction is being so caused.
- (30) If the holder or a taxi driver's licence is at any time driving or in charge of a private hire car he shall not stand or ply for hire in any public place, street or car park or use his vehicle as a taxi. A driver shall not, whilst in charge of a private hire car, accept a hire that has not been pre-booked. A 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.
- (31) 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.
- (32) 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.
- (33) The driver of a taxi 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.
- (34) 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.
- (35) 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.
- (36) The driver who ceases to act as a taxi driver, whose licence is suspended or who is disqualified from driving for any period shall, within seven days, deliver to the Council his licence and badge.
- (37) 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.
- (38) All formal intimations should be sent in writing to the Chief Officer of Legal and Democratic, North Lanarkshire Council, Civic Centre, Windmillhill Street, Motherwell, ML1 1AB.

In these conditions:-

"The Council" means - North Lanarkshire Council.

"The Driver" means the holder of a taxi driver's licence.

"Exclusive", as applied to the hire of a taxi, means that a single fare is payable by any one passenger for the whole hire of the taxi whether or not more than one passenger is carried; and "Exclusive Hire" shall be construed accordingly.

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“Taxi” has the meaning ascribed to it in terms of the Civic Government (Scotland) 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.

“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.

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

“Taxi-bus” means a taxi which is being used, under a special licence granted under Section 12 of the Transport Act 1985, to provide a local service which is or requires to be registered under Part 1 of the Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers.

In these conditions the use of the singular implies the plural and the use of the masculine implies the feminine.

TAXI DRIVER'S LICENCE CONDITIONS

SCHEDULE 1

DRESS CODE FOR TAXI DRIVERS

Male Taxi Drivers

All male taxi 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 Taxi Drivers

All female taxi 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 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.

(NB 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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