

Drivers Licence Conditions

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5.1 Definitions

In these Conditions:

- 5.1.1 **The Council** means Amber Valley Borough Council and 'Borough' means the district of the Council.
- 5.1.2 **Private Hire Vehicle** means a private hire vehicle licensed by the Council under the 1976 Act.
- 5.1.3 **Taxi** means a hackney carriage licensed by the Council under the 1847 Act;
- 5.1.4 **Driver** means a driver licensed by the Council under the 1847 Act and the 1976 Act and **Badge** means the badge owned and issued by the Council for the purposes of identifying the Driver as such.
- 5.1.5 **Authorised Officer** means any Officer of the Council authorised in writing by the Council for the purpose of these Conditions.
- 5.1.6 **Plate** and **Disc** mean the plate and disc owned and issued by the Council for the purposes of identifying a vehicle as a taxi or private hire vehicle as appropriate.
- 5.1.7 **Vehicle** means a licensed taxi or private hire vehicle.
- 5.1.8 **Licence** means a taxi and private hire vehicle drivers licence issued by the Council under the 1847 Act and the 1976 Act.
- 5.1.9 **Child** means a person under 18 years of age and **Children** means more than one such person.
- 5.1.10 **1847 Act** means the Town Police Clauses Act 1847.
- 5.1.11 **1976 Act** means the Local Government (Miscellaneous Provisions) Act 1976.

5.2 General

- 5.2.1 The driver's licence issued by the Council shall cover the driving of both taxis and private hire vehicles.
- 5.2.2 The driver shall, at all times when driving a Vehicle, wear in a conspicuous position, the Driver's badge issued to him by the Council.
- 5.2.3 The driver shall ensure that the plate granted in respect of that vehicle and showing that vehicle's registration number is clearly displayed as prescribed to the rear of the vehicle.
- 5.2.4 The driver shall not tamper with or permit or cause any person to tamper with any taximeter with which the Vehicle is provided, with the fittings thereof or with the seals.
- 5.2.5 The driver shall not assign or in any way part with the benefit of the licence. It is personal to the licensee.
- 5.2.6 Where a pre-booked journey is undertaken, the driver shall attend at the appointed time and place punctually, unless delayed or prevented by some sufficient cause.

- 5.2.7 If the driver attaches him/herself or any vehicle to an operator, he/she will give a copy of his/her driver's licence and a copy of any vehicle licence in his control to the operator.
- 5.2.8 The driver shall, upon the request of the passenger, issue a written receipt for the fare paid for the journey.
- 5.2.9 The driver when in another Council's area, on being approached by any authorised officer of that Council shall answer any reasonable questions and produce documents in relation to the driver and the vehicle as requested.
- 5.2.10 The driver shall comply with the reasonable directions of an Authorised Officer.
- 5.2.11 The driver shall comply with all the provisions of the 1847 Act and Part II of the 1976 Act, (as appropriate) and all other statutes, byelaws, regulations and Conditions for the time being in force in the district in respect of taxis and private hire Vehicles.
- 5.2.12 The driver shall not wilfully or negligently cause or permit the Plate Disc or Badge to be concealed from public view.

5.3 Driving Conditions

- 5.3.1 The driver shall, when hired to drive to any particular destination, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
- 5.3.2 The driver shall not convey in the vehicle any greater number of persons, (exclusive of the driver), specified on the Licence and on the Plate attached to the outside of the Vehicle irrespective of whether any of those persons are children (of any age).
- 5.3.3 The carrying of passengers' pets shall be at the driver's discretion. This discretion does not apply to guide dogs for the blind, hearing dogs and certain other assistance dogs — 'Dogs for the Disabled', 'Support Dogs' and 'Canine Partners for Independence' which shall be carried free of charge. No other animal shall be carried in the Vehicle other than one in the custody of a passenger.
- 5.3.4 The driver shall not allow more than one passenger to be conveyed in the front of the Vehicle, unless additional seats are available (e.g. a minibus).
- 5.3.5 No child shall be conveyed in the front of the vehicle unless properly restrained.
- 5.3.6 A licensed taxi driver who is 'plying for hire' or carrying passengers is exempt from wearing a seatbelt but otherwise the chart below shows current requirements. For further guidance see Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations 2006:

Person in car	Front seat	Rear seat
Driver	A seat belt must be worn if fitted.	
Child under 3 years	The correct child seat must be used.	The correct child seat must be used. If one is not available in a taxi, a child may travel unrestrained.
Child 3 to 11 years and under 135cm (approx 4ft 5inches)	The correct child restraint must be used.	The correct child restraint must be used where seatbelts are fitted. A child must use an adult belt in the rear if in a taxi the correct child restraint is not available. On a short and occasional trip, the child restraint is not available.
Child 12 or 13 (or younger child over 135cm)	A seat belt must be worn if fitted.	A seat belt must be worn if fitted.
Adult passenger and child over 13	A seat belt must be worn if fitted.	A seat belt must be worn if fitted.

- 5.3.7 The driver must not permit any seat belt to be worn by more than one passenger and must not place any passenger in danger regarding the use of seat belts or child restraints.
- 5.3.8 The driver shall not attach a trailer, tow ball and roof rack (other than a roof bar fitted as standard by the manufacturer) to a taxi or a private hire vehicle without the prior written consent of the Council.
- 5.3.9 No trailer shall be permitted to be attached to a Taxi while the Taxi is on a hackney carriage stand.
- 5.3.10 The driver must ensure that the use of any trailer is in accordance with driving licence approval for the vehicle and trailer types, and any legislation relevant to the towing of trailers.
- 5.3.11 The driver shall not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person.

5.4 Conduct

- 5.4.1 The driver shall take all reasonable precautions to ensure the safety of the persons conveyed in, or entering or alighting from the vehicle,
- 5.4.2 The driver shall at all times behave in a civil and orderly manner and be clean and respectably dressed in accordance with any dress code issued by the Council. The following are deemed to be unacceptable attire:
- Clothing that is not kept in a clean Conditions, free from holes and rips
 - Words or graphics on any clothing that is offensive or suggestive nature or which might offend
 - Beach wear
 - Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel
 - Drivers not having either the top or bottom half of their bodies suitably clothed

- 5.4.3 The driver shall provide proper and reasonable assistance to passengers.
- 5.4.4 The driver shall, when requested by the hirer, convey a reasonable quantity of luggage, and afford reasonable assistance with the loading and unloading and removal thereof to the entrance of any house or place at which he/she may pick up or set down the hirer, without any additional charge.
- 5.4.5 The driver shall not consume alcohol, take drugs or smoke in the vehicle at any time.
- 5.4.6 The driver shall not, without the express consent of the hirer, play any radio or any sound reproducing equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- 5.4.7 The driver shall at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the Vehicle which he/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.
- 5.4.8 The driver shall, immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the Vehicle for any property which may have been accidentally left therein, if any such property, is found and not claimed within 48 hours take it to the nearest police station as soon as practicable.

5.5 Notices

- 5.5.1 The driver shall give notice to the Council in writing, within 7 working days, of any change of address.
- 5.5.2 The driver shall, within 7 days, disclose in writing to the Council details of any convictions, cautions, fixed penalty notices or endorsements pursuant to Part III of the Road Traffic Offenders Act 1988 or any pending matters falling into the above categories incurred by him during the period of the Licence.
- 5.5.3 The driver shall disclose to the Council within 7 days in writing details of any serious illness or injury (for example, heart attack, stroke, broken limbs, etc.) sustained and may be required to undergo an additional medical examination or produce written confirmation from his own medical practitioner or hospital consultant as to his continued fitness to drive a licensed vehicle.
- 5.5.4 The driver shall inform the Council in writing within 7 days of any accident in which he/she and his/her licensed Vehicle have been involved and in which either personal injury or damage to the Vehicle has occurred (irrespective of how the personal injury or damage was caused).
- 5.5.5 The driver shall inform the Council in writing within 7 working days of any change of Operator he/she is attached to or ceases to be attached to.
- 5.5.6 All notices required to be served on the Council under conditions 5.5.1 to 5.5.5 shall be addressed to The Licensing Section, Amber Valley Borough Council, Town Hall, Market Place, Ripley, Derbyshire, DE5 3BT.
- 5.5.7 A driver who shall knowingly convey the dead body of any person in the vehicle shall immediately thereafter notify the fact to the police.

5.6 Private hire vehicles

- 5.6.1 No driver of a private hire vehicle shall:
- 5.6.2 Ply for hire or offer the vehicle for immediate use.
- 5.6.3 Accept an offer for the immediate hire of a private hire vehicle except where such offer is transmitted to the driver by telephone or radio without the driver in any way procuring the offer.
- 5.6.4 Permit it to wait on a rank appointed for taxis nor accept an offer for immediate hire while the vehicle is on the road or other public place.
- 5.6.5 Tout or solicit on a road or other public place any person to hire or be carried in the vehicle.
- 5.6.6 Permit, cause or procure any person to tout or solicit on a road or other place any person to hire or be carried in the vehicle.

5.7 Taxis

- 5.7.1 No driver of a taxi shall ply for hire outside the Council's area.
- 5.7.2 The driver of a taxi, when using a rank provided by the Council, shall station the taxi immediately behind the taxi or taxis in the rank so as to face the same direction and from time to time, when any other taxi immediately in front is driven off or moved forward, cause his taxi to be moved forward, so as to fill the place previously occupied by the taxi driven off or moved forward. If a rank, at the time of the driver's arrival, is occupied by the full number of carriages authorised to occupy it, the driver should proceed to another rank.
- 5.7.3 Taxi that is mechanically unable to proceed shall be removed from a rank as soon as is practically possible.
- 5.7.4 The driver of a taxi, when standing or plying for hire, shall not, leave his vehicle or by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for that purpose.
- 5.7.5 The driver of a taxi provided with a taximeter shall:
- 5.7.6 When standing or plying for hire, keep the key, flag or other device fitted in that behalf locked in the position in which no fare is recorded on the face of the taximeter.
- 5.7.7 As soon as the taxi is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word 'HIRED' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring.
- 5.7.8 Cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1988, and also at any other time at the request of the hirer.

- 5.7.9 A driver of a taxi shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided with the fittings thereof, or with the seals affixed thereto.
- 5.7.10 The driver of a taxi shall be entitled to demand and take for the hire of the vehicle the rate or fare prescribed by the Council, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time.
- 5.7.11 Provided always that where a taxi furnished with a taximeter shall be hired by distance, the driver thereof shall not be entitled to demand or take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.
- 5.7.12 A list of the current hackney carriage fares must be displayed in the vehicle at all times.
- 5.7.13 The driver of a taxi bearing a statement of fares shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the taxi is plying or being used for hire.

5.8 Amendment of Conditions

The above conditions may be revised or amended at any time by the Council whereupon a copy of the conditions as revised or amended will be supplied to the operator.