



# **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

## **CONDITIONS FOR TAXI AND PRIVATE HIRE CAR DRIVER'S LICENCE HOLDERS**

**November 2017**

## **PART I - HOLDER OF TAXI OR PRIVATE HIRE AND PRIVATE HIRE DRIVER'S LICENCE**

### **Test**

1. The holder of a taxi or private hire driver's licence will be required to undertake a test on matters relating to the operation of a taxi or private hire vehicle as the Council considers desirable, on application and renewal.
2. The holder of a taxi or private hire driver's license who drives a wheelchair accessible vehicle will be required to undertake training as directed by the Council.

### **Identity Badge**

3. A taxi or private hire driver will at all times when in charge of a taxi or private hire vehicle will display the identity badge provided by the Council in a position clearly visible to passengers. The driver will, on demand, allow the examination of the badge by any passenger, Licensing Officer or Police Officer.

### **Condition of Vehicle**

4. The driver of a taxi or private hire will ensure that the taxi or private hire vehicle, is roadworthy, safe and serviceable including all bodywork, upholstery and fittings, and is in a clean condition subject to prevailing road and weather conditions.

### **Fulfilment of Hire**

5. The driver of a taxi or private hire vehicle will be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire the taxi or private hire vehicle which the driver of a taxi or private hire has accepted, or which has been accepted on the driver's behalf by any representative, unless prevented by reasonable and sufficient cause.
6. The driver of a taxi or private hire shall not refuse to convey a hirer or passenger to any place within the Licensed Area unless:-
  1. any hirer or passenger is
    - a. not prepared to give a precise destination, or
    - b. drunk or otherwise not in a fit and proper state to be carried,
    - c. condition or clothing is offensive or likely to cause damage to the interior of the taxi, private hire vehicle or
    - d. refuses to cease smoking in the taxi or private hire vehicle when requested to do so by the driver, or
    - e. is accompanied by any animal except a guide dog which is likely to damage or soil the interior of the taxi, or
  2. for any other reasonable cause.

## **Shared Hire**

7. The driver of a taxi or private hire vehicle will operate on shared hire only with the consent of the first hirer even if there is displayed on the taxi or private hire a sign approved by the Council indicating that the taxi or private hire is available for shared hire. The driver of a taxi or private hire vehicle will not be required to operate on shared hire if no such sign is displayed on the taxi or private hire at the time of the initial hiring.
8. The driver of a taxi or private hire vehicle on shared hire may decline to accept a further passenger on the grounds that the intended destination could not be served without an excessive or unreasonable addition to the journey distance of the existing passenger or passengers or that the further passenger's luggage cannot be accommodated safely within the luggage compartment of the taxi.

## **Number of Passengers**

9. The driver of a taxi or private hire vehicle will not at any time convey more passengers than can be properly seated in that part of the taxi or private hire set aside for passengers and up to the number the vehicle is licensed for.

## **Fares**

10. The driver of a taxi or private hire vehicle not being used as a taxi or private hire vehicle will if the cost of the journey is not regulated by an authorised fare inform the hirer before the journey commences (a) that the fare is not so regulated and (b) of the cost or the method of calculating the cost of the proposed journey.

## **Taxi or Private Hire Meter**

11. The driver of a taxi or private hire vehicle will ensure that the taxi or private hire meter fitted in the taxi or private hire vehicle in their charge will be operated at all times, within the licensed area, in accordance with any instructions given by the Licensing Officer.
12. The meter will be started when the passenger enters the taxi or private hire vehicle. When a taxi or private hire vehicle is engaged by telephone or otherwise, the hiring shall be deemed to have commenced when the taxi / private hire vehicle arrives at the premises or other place to which he has been directed to uplift the passenger when the driver shall start the meter. No waiting time should be charged if the taxi / private hire arrives prior to the arranged time agreed upon.

The meter will be immediately stopped on the termination of the journey by the driver of a taxi or private hire. The fare record will not be removed from the taxi or private hire meter until the hirer has examined it or has had a reasonable opportunity of examining it.

## **Driver Behaviour**

13. The driver of a taxi or private hire vehicle, while in charge of the taxi or private hire vehicle, will behave in a civil and orderly manner.

14. When a taxi or private hire vehicle is hired or when a Taxi is standing for hire, the driver of the taxi or private hire vehicle, will either sit in the driving seat of the taxi or private hire vehicle or stand in the immediate proximity. Except during any period the driver of the taxi or private hire vehicle may be absent to announce the arrival of the taxi or private hire.
15. A taxi or private hire vehicle is a no smoking premise as defined by the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006.
16. The driver of a taxi or private hire vehicle will not smoke or use electronic cigarettes at any time within the vehicle.

### **Dress Code**

17. The driver of a taxi or private hire vehicle, while in charge of the taxi or private hire vehicle, will be clean and tidy in person and wearing clothing of a type or standard fit for the purpose and as laid down in the Dress Code attached as Schedule A to these conditions.

### **Journey Log**

18. The driver of a private hire vehicle will before the start of each journey complete a suitable journey log containing the following particulars for each contract of hire:-
  - the time of the hire
  - the pick-up point
  - the place of destination
  - the name of the hirer
  - the licence number and registration number of the vehicle
  - the details of the driver

the driver will deliver the log book to the holder of the private hire car licence at the termination of each shift of driving for collation.

### **Passenger Assistance**

19. The driver of a taxi or private hire vehicle will give such assistance to their passengers as they are able to give with loading and unloading their luggage when required to do so. However, only if the driver of the taxi or private hire vehicle will not be required to leave the immediate proximity of the taxi or private hire in doing so.
20. Where a taxi or private hire vehicle has been hired by or for a person who is accompanied by an assistance dog of that person; or by a person who wishes such a disabled person to accompany that person in a taxi or private hire vehicle, the driver of the taxi or private hire vehicle will carry the assistance dog and allow it to remain with the disabled person and will not make any additional charge for doing so.
21. Where a taxi or private hire vehicle has been hired by or for a disabled person, welcome that person into the taxi or private hire vehicle, ask what help they need; help disabled passengers when they ask for it to get in and out of the taxi or private hire vehicle, help and carry wheelchairs, luggage or other bags if the customer cannot do it; carry wheelchairs, mobility aids and allow assistance dogs without extra charge.

22. Where the taxi or private hire vehicle has an electronically operated retractable step, the driver will operate it as and when required and make reasonable enquiries of passengers, where appropriate, to ascertain this.
23. The driver of a taxi or private hire vehicle will assist wheelchair users into the taxi or private hire vehicle using the ramps if necessary and will ensure that they are properly secured by means of the fixed seatbelts before starting the journey.
24. The driver of a taxi or private hire vehicle holding a Certificate of Exemption from compliance with condition 23 will display copies of the Certificate on the passenger doors of the taxi or private hire vehicle and make this available to any person for inspection.

### **Passenger Luggage**

25. The driver of a taxi or private hire vehicle will not refuse to carry luggage in that taxi or private hire vehicle providing that the said luggage can be accommodated safely within the luggage compartment of the taxi or private hire.

### **Lost Property**

26. Immediately after the completion of their shift, the driver of a taxi or private hire will search the taxi or private hire of which they are in charge for any property which may have been left .
27. Any property found in such taxi or private hire vehicle by the driver will forthwith be returned by the driver of the taxi or private hire vehicle to the owner of the property, if known, and if not known, such property will be handed in by the taxi or private hire vehicle driver to any police station within 24 hours along with:
  - a. note of the taxi or private hire driver's name and address;
  - b. the name of the holder of the licence for such taxi or private hire;
  - c. the number of the taxi or private hire; and
  - d. the names and addresses of all hirers of the taxi or private hire during that day so far as known to the driver which may assist in determining ownership of the property.

### **Stances**

28. Where the physical layout of a stance permits, drivers of taxis arriving at an appointed taxi stance will take their stations on such stance from front to rear in order of their arrival, and hires will be accepted in that order, except, when an intending hirer wishes to engage a specific taxi vehicle or its driver, in which case the engagement may be accepted in the order indicated by the intending hirer, but the onus of proving the hirer's wishes will be on the driver of the taxi apparently chosen out of order.
29. When the driver of a taxi drives off a stance (except on any stance where contrary conditions or restrictions are specified), the taxi driver immediately behind will take the place vacated, and the drivers of taxis on the stance behind will draw up their vehicles in a like manner.

### **Change of Address**

30. The driver of a taxi or private hire on changing their permanent place of residence will notify the Council of their new address in writing, within ten working days. This may be done by notice to the Council's Licensing Section, 2 High Street, Perth, PH1 5PH or [civclicensing@pkc.gov.uk](mailto:civclicensing@pkc.gov.uk)

### **Notification of Conviction**

31. If the driver of a taxi or private hire vehicle is charged by the police, receives a fixed penalty notice (other than for parking) or is convicted they must notify the Council in writing within 7 days.

### **Notification of Medical Conditions**

32. Should any medical condition arise or change during your licence term, the driver of a taxi or private hire vehicle should notify the Council in writing within 7 days.

### **Return of Licence and Identity Badge**

33. If the driver of a taxi or private hire ceases for any reason to be authorised by law to drive in terms of section 13(6) of the Act they will immediately give notice to the Council of their disqualification or such other reason and return their taxi or private hire driver's licence and identity badge to the Council's Licensing Section, 2 High Street, Perth, PH1 5PH.

### **Compliance with Licensing Officer**

34. The driver of a taxi or private hire will not obstruct the Licensing Officer in the performance of any of the Licensing Officer's duties under these conditions.
35. The driver of a taxi or private hire will comply with all the instructions or directions of the Licensing officer in relation to these conditions and will give all information reasonably required in the discharge of the duties of the Licensing officer.

## **SCHEDULE A**

### **DRESS CODE**

All drivers are to dress smartly and maintain a clean and tidy appearance.

Where drivers work for an operator who requires a uniform or dress standards, then drivers should comply with this. All drivers must be clean and presentable at all time

Drivers must not wear:-

1. Hats / Baseball Caps unless as part of formal uniform
2. Vests
3. Track / Jogging Suits
4. Football Strips / Colour

## SCHEDULE B

### LIST OF TAXI OR PRIVATE HIRE RANKS

<b>Ranks</b>	<b>No of Spaces</b>
Mill Street, Perth	13
South Street, Perth <i>(Outside Tesco)</i>	6
Pomarium, Perth <i>(East Side at Bus Station)</i>	5
Perth Railway Station <i>(Private Rank)</i>	8
Wellmeadow, Blairgowrie <i>(South Side)</i>	6

**NOTE:** These conditions are ancillary to and do not derogate from the powers granted to the Council in relation to taxi or private hires and private hire cars under the Civic Government (Scotland) Act 1982 or any amendment thereto.