

# THE INVERCLYDE COUNCIL

## CIVIC GOVERNMENT (SCOTLAND) ACT 1982

### TAXI DRIVER LICENCE STANDARD CONDITIONS

1.
  - (a) The driver of a taxi, at all times while he is in charge of a taxi as such, shall have with him the taxi driver's licence or other such means of identification issued by the Licensing Authority and he shall ensure that such licence or identification shall be displayed within the passenger compartment of the vehicle in such a way that it may be clearly visible at all times to any passenger, constable or authorised officer of the Licensing Authority; he shall further ensure that only his own licence or identification shall be on display within the passenger compartment of the vehicle during the time that he is in charge of the taxi and that no other driver's licence or identification shall be displayed as aforesaid. The identification issued by the Licensing Authority shall include the driver's name, a recent photograph showing his true likeness and the date on which the licence expires.
  - (b) If, at any time during the period of this licence, the driver ceases to hold a licence authorising him to drive a motor car issued under Part III of the Road Traffic Act 1972, he must cease driving a taxi immediately and surrender to the Licensing Authority his taxi driver's licence and identification as soon as practicable and, in any event, no later than seven days after the date on which he has ceased to hold the first mentioned licence.
  - (c) The driver of a taxi shall advise the Licensing Authority of any change in his address, whether permanent or temporary and that no later than seven days of such change of address; any change of address intimated to the Licensing Authority shall not be treated as a Variation of the Licence and the licence shall be amended at the Licensing Authority's cost.
2. The driver of a taxi shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire his taxi which he has accepted, unless prevented by sufficient cause.
3. It is expressly understood that the driver of a taxi shall operate on shared hire only with the consent of the first hirer or passenger, even if there is displayed on the taxi a sign or other thing or device approved by the Licensing Authority indicating that the taxi is available for shared hire. The driver shall not however be required to operate on shared hire if no such sign or other device is displayed on the taxi at the time of the initial hiring.
4. The driver of a taxi which is on exclusive hire may not, in any circumstances, pick up or convey another passenger without the consent of the original hirer(s) or passenger(s).
5. The driver of a taxi shall not at any time convey in the taxi more than the number of passengers the taxi is licensed to carry.
6. The driver of a taxi which has been hired on an "exclusive" basis shall drive to the passenger's destination by the shortest practicable route unless instructed otherwise by the hirer. The driver of a taxi which has been hired on "shared" hire shall take the shortest practicable route which shall serve the destinations of all the passengers whom he is carrying at any one time subject always to the driver having the discretion to take "sharing" passengers to their destinations in the order which he considers most appropriate and that, in a "sharing" mode, the driver of a taxi shall have the discretion to refuse to accept a "sharing" hirer wishing to use his taxi if that would-be hirer wishes to be carried in a direction which is not convenient or practicable when related to the routes of the other passenger(s) already being carried.

7. The driver of a taxi not being used as a taxi-bus, unless the cost of the journey is regulated by a Licensing Authority fare structure, shall inform the hirer or passenger before the journey commences that the fare is not so regulated and advise him of the cost, or the method of calculating the cost, of the proposed journey.
8. The driver of a taxi shall ensure, prior to operating the vehicle for hire, that the seal on the taxi meter fitted to his vehicle is intact when he commences to ply for hire in that vehicle and should the taxi meter cease to function or the seal become broken or damaged during the time that he is plying for hire in the vehicle, he shall immediately withdraw the vehicle from service. The driver of a taxi shall ensure that a taxi meter fitted in the taxi in his charge shall be operated at all times within the licensed area in accordance with the detailed requirements imposed by the Licensing Authority.
9. The driver of a taxi shall ensure that the taxi, including all bodywork, upholstery and fittings, is in a roadworthy, safe and serviceable condition and is in a clean condition subject to prevailing road and weather conditions. The driver of a taxi, from time to time and at least once in each day in which he uses the taxi, shall inspect the seals on the taxi meter to ensure that they are intact. On discovering the seals have become broken or damaged or that the taxi meter has ceased to function correctly, the driver of a taxi shall withdraw immediately the vehicle from service.
10. Subject to Conditions 11 and 12 below, the driver of a taxi shall not refuse to drive a passenger to any place within the licensed area.
11. Where the taxi 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 and the circumstances specified below do not apply, the driver of the taxi 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.

The circumstances referred to above are that -

- (a) a Notice of Exemption has been issued to the driver 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, facing outwards.
12. The driver of a taxi need not convey any hirer or passenger who is drunk or otherwise not in a fit and proper state to be carried, or whose condition or clothing is offensive or likely to cause damage to the interior of the taxi, or who refuses to cease smoking in the taxi when requested to do so by the driver, or is accompanied by any animal which is likely to damage or soil the interior of the taxi, or for any other reasonable excuse.
  13. The driver of a taxi on shared hire may decline to accept a further passenger on the grounds that his 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.

14. The driver of a taxi, while he is in charge of the taxi, shall not canvass or importune in any public place or street for employment, except, where the taxi is being operated on shared hire, to such extent as 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 shared hire of the taxi. Other than uplifting a passenger on a sharing-basis or uplifting a passenger on the basis of a pre-booked call, a taxi driver shall not uplift any fare within 200 metres, as the crow flies, of a taxi stance.
15. The driver of a taxi shall not refuse to carry luggage in his taxi providing that the said luggage can be accommodated safely within the luggage compartment of the taxi.
16. The driver of a taxi shall give such assistance as he is able to give with loading and unloading luggage when required to do so but he shall not be required to leave the immediate proximity of the taxi in doing so.
17. The driver of a taxi, at the end of his shift, shall search the taxi in which he is in charge for any property which 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 such property shall be handed in by the driver to any police station.
18. (a) If, at any time during the period of this licence, the driver becomes unfit to drive a motor vehicle or he receives advice from his general practitioner that he should cease his occupation as a taxi driver, he must cease driving a taxi immediately and inform the Licensing Authority as soon as reasonably practicable so that his fitness to drive a taxi can be assessed.  
  
(b) The driver of a taxi, whilst in charge of the taxi as such, shall be clean and tidy in his person and clothing and in particular shall comply with The Council's dress code as follows:  
  
Male drivers - shirt with collar, either open neck or (preferably) with tie, smart trousers and shoes.  
  
Female drivers – blouse, smart skirt or trousers and shoes.  
  
The following must **not** be worn - training shoes, baseball cap, tracksuits, denims, t-shirts.  
  
(c) The driver of a taxi, while in charge of a taxi as such, shall conduct himself in a proper and civil manner and shall not smoke while carrying a passenger or passengers.
19. The driver of a taxi shall not allow knowingly the taxi in his charge to be used for illegal or immoral purposes, permit to be carried in the taxi in his charge any article of a dirty, filthy or noxious nature or any explosive or dangerous nature, or permit to be carried in the taxi in his charge any person who has vermin on his person.
20. All drivers of taxis arriving at an appointed stance shall take their stations on such stance from front to rear in order of their arrival and hires will be accepted by the driver in that order except when an intending hirer wishes to engage a specific taxi or its driver; in such a case the engagement may be accepted in the order indicated by the intending hirer but the onus of proving the hirer's wishes shall be on the driver of the taxi apparently chosen out of order. When the driver of a taxi drives off a stance the taxi driver immediately behind shall draw up his vehicle to take the place vacated and the drivers of taxis on the stance behind shall draw up their vehicles in a like manner. It is specifically understood, for the avoidance of doubt, that no driver shall enter a taxi stance except from the rear.
21. The driver of a taxi shall not stand or loiter with the vehicle in any street within 200 metres as the crow flies of a stance whilst such stance is fully occupied by the authorised number of taxis nor shall he cause the taxi to stand within that distance.

22. 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.

23. In these conditions:

"an assistance dog" means a dog which -

(a) is trained by a charity to assist a disabled person with a physical impairment for the purpose of section 1 of the Disability Discrimination Act 1995 which -

(i) consists of epilepsy; or

(ii) otherwise affects the mobility, manual dexterity, physical co-ordination of that person or ability of that person to lift, carry or otherwise move everyday objects; and

(b) at the time that the disabled person whom it is assisting hires a taxi, is wearing a jacket inscribed with the name of a charity;

"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;

"a guide dog" means a dog which has been trained to guide a blind person;

"a hearing dog" means a dog which has been trained to assist a deaf person;

"Notice of Exemption" means a Notice of Exemption issued by the Licensing Authority in terms of The Taxi Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2003 and The Private Hire Car Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2004;

"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; and

"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 required to be registered under Part I of that Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers.

24. These conditions shall be observed by the holder of the licence when he is driving a private hire car with the exception of those conditions or parts of conditions relating to shared hire of a taxi, the use of a taxi as a taxi-bus and Conditions 14, 20, 21 and 22 which relate to plying for hire in public and which itself is forbidden for the driver of a private hire car.

This and the three preceding pages constitute the Schedule of Conditions referred to in the foregoing licence.

Legal Services Manager  
Licensing, Litigation and Advice