

PRIVATE HIRE VEHICLE LICENSING AND TESTING

Private Hire Vehicles are licensed under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976. The Act allows a Local Authority to impose conditions that it considers 'reasonably necessary' in respect of private hire vehicles.

Standard Conditions applicable to a Private Hire Vehicle licence

1. **Licensing Period.** A Private Hire Vehicle shall be licensed for a period of not more than 1 calendar year.
2. **Use of the Vehicle.** A private hire vehicle once licensed is always a private hire vehicle and may only be driven by a private hire driver who holds a licence under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976.
3. **Persons permitted to drive a Licensed Vehicle.** A vehicle licensed by Harlow Council may only be driven by a person licensed to drive a private hire vehicle by Harlow Council.
4. **Insurance.** A valid insurance policy in respect of the vehicle covering the carriage of passengers for hire and reward shall be in force throughout the period of the licence.
5. **Cleanliness.** The licensed vehicle shall be maintained in a clean, comfortable, presentable and roadworthy condition.
6. **Vehicle Modification** No material alteration or change in the specification, design or appearance of the vehicle shall be made without the approval of the Licensing Team.
7. **Signs.** Private Hire Vehicles shall not display signs using the words TAXI, CAB, or 'FOR HIRE' or any form of wording which may indicate that the vehicle is presently available for hire.
8. **Vehicle Inspection Arrangements.** The licensed vehicle shall be presented for MOT and compliance testing at the garage nominated by the Council. Proprietors are required to book their MOT/compliance tests with the nominated garage at intervals specified by Council vehicle licence conditions.
9. **Inspection intervals.**

Licensed vehicles shall be presented for MOT annually and immediately prior to first being licensed. Thereafter, a licensed vehicle shall be presented for Compliance testing at the following intervals;

- a) Immediately prior to the issue of first licence (on the date of the MOT)
- b) Annually for all vehicles with <100,000 recorded miles (on the date of MOT)
- c) Every 6 months for all vehicles with >100,000 recorded miles
- e) At the request of the Council for enforcement purposes.

- 10. Trailers.** A private hire vehicle may tow a trailer provided that the trailer is fully compliant with all road traffic regulations. The vehicle proprietor shall notify the Council that he/she intends to use a trailer prior to first use. A trailer used for private hire shall be presented for inspection to the Council's nominated garage prior to being used for the first time and annually thereafter.
- 11. Display of Plate.** A 'private hire plate' issued by the Council shall be fixed to the outside rear of the vehicle using permanent fixing brackets supplied by the Council in a prominent position which does not obscure lights or number plate. The plate shall be displayed at all times. No other plate or roundel from any other authority shall be displayed. The plate shall not be attached to the vehicle with magnets or tape.
- 12. Vehicle Badge.** A vehicle badge issued by the Council shall be displayed on the windscreen at all times in a position where it can be clearly seen by passengers. The badge shall not obscure the driver's vision. No other badge from another authority shall be displayed.
- 13. Door Panels.** A private hire vehicle shall display offside and nearside front door vehicle identification panels. The panels shall be issued by the Council and be permanently fitted to the private hire vehicle for the entire period that the vehicle remains licensed. In the event of panels being lost, damaged or defaced, the vehicle proprietor or driver shall, as soon as practicable, notify the licensing team and obtain replacement panels.
- 14. Chauffeur Vehicles** Chauffeur vehicles are required to be licensed as private hire vehicles and be operated through a Licensed Operator in accordance with the 76 Act. However, regulation 75 (3) of the 76 Act allows the licensing authority to alter requirements for the display of plates. Harlow Council will not require that the vehicle displays a rear plate under clause 11 above or door panels under clause 13 where the vehicle meets the following requirements;
- The vehicle is an executive or prestigious vehicle,
 - The vehicle is only operated in a manner which could reasonably be construed as chauffeuring where persons hire the vehicle and driver and, a higher standard of service is provided,
 - The vehicle is not operated at any time for short trips, school runs, airport work and similar journeys which may be considered normal 'private hire work'.

The Council shall issue a certificate of exemption for vehicles that are not required to display plates which must be carried in the vehicle.

- 15. Emissions.** All newly licensed private hire vehicles shall be compliant with Euro 4, or higher, emissions standards. Vehicles continuously licensed on 22nd November 2016 which are not certified by the manufacturer as Euro 4 compliant shall not be relicensed after 22nd November 2019.

- 16. Meters.** A private hire vehicle shall not be required to use a private hire meter but where fitted the meter must be compliant with The Measuring Instruments (Taximeter) Regulations 2006 and be sealed by the Council or persons working on behalf of the Council. For the purposes of this condition, a Personal Digital Assistant or similar device shall not be considered to be a meter.
- 17. Reporting Damage and Accidents.** The proprietor of a private hire vehicle licensed by Harlow Council shall report to the council as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence of, any accident to such private hire vehicle whether or not causing damage materially affecting the safety, performance or appearance of the private hire vehicle or the comfort or convenience of persons carried therein.
- 18. LPG.** Private Hire Vehicles converted to run on LPG by a third party vehicle converter shall meet the legislative requirements set out in the Road Vehicle (Construction and Use) Regulations 1986 (as amended). [Regulations 40 & 94 and schedules 4 & 5 lay down safety requirements for the LPG system]. There is a voluntary code of practice published by UKLPG regarding LPG conversion standards. The Council reserves the right to require that the vehicle be approved under the UKLPG accreditation scheme. Documentary evidence shall be provided to the Licensing Team to confirm that the conversion meets with legislative requirements. Private hire vehicles converted to run on LPG shall display a roundel sticker at the front and rear of the vehicle stating that the vehicle has been fitted with an LPG tank. The vehicle proprietor shall notify the Licensing Team, DVLA and their insurance company that the vehicle has been converted to run on LPG.
- 19. BHP.** Petrol or diesel powered private hire vehicles shall be a minimum of 90bhp.
- 20. Hybrid and Electrically Propelled Vehicles.** Harlow Council shall licence hybrid or electrically propelled vehicles where they meet these conditions.
- 21. Insurance Write offs.** No vehicle which has been written off as a Category C insurance loss shall be licensed as a Private Hire Vehicle.
- 22. Compliance and MOT Standards.** The licensed vehicle shall meet the minimum standards set out in the MOT and in the Compliance standards below. A licensed vehicle which fails the MOT standard shall not be used as a Private Hire Vehicle and the proprietor shall as soon as practicable inform the Council's licensing team of any such failure. A licensed vehicle shall not be used as a private hire vehicle where it fails a compliance test other than at the discretion of the Environment and Licensing Manager. Any such failure shall as soon as practicable be notified to the Licensing Team. The Licensed Vehicle shall meet the following standards when tested annually and at 6 month intervals with the exception of vehicle emission testing which shall be carried out annually.

23. Roof Signage. The vehicle shall be fitted with a roof sign meeting the following specification:

- Be 610mm (24") wide
- Be coloured white with black letters
- Have 'Pre-booked Only' written on both sides
- Contain no other words, images or logos
- Not be illuminated
- No other roof sign shall be displayed on the vehicle

The vehicle shall meet the MOT standard when undergoing a compliance test.

A **fire extinguisher** manufactured to BSEN 3 1996 shall be readily available and fixed with a bracket in the car or boot.

Driver and passenger foot-wells: Driver and passenger foot-wells shall be kept free of obstructions.

Leg room, seat dimensions and internal arrangements: Private hire vehicles shall meet the following minimum standards:

- Vehicles shall have 5 seats to accommodate a minimum of 4 passengers and have a minimum of 4 doors.
- Larger vehicles may be licensed for not more than 8 passengers.
- The aggregate internal width of seats shall not be less than 1,290mm when measured across the seats at shoulder height.
- Provide not less than 152mm leg-room between the front seat and cushion of the rear seat measured horizontally.
- The licensing team shall exercise reasonable discretion on the suitability of vehicles to be licensed as private hire vehicles.
- Seats shall be secure and backrests shall be capable of being secured in the upright position.

Bonnet. The bonnet must open and close properly and be fitted with a working safety catch in accordance with the manufacturer's specifications.

Vehicle Cleanliness The vehicle shall be submitted for inspection in a clean condition to enable the vehicle inspector to carry out a full and proper inspection and examine all necessary components. Reasonable steps shall be taken to keep the licensed vehicle clean throughout the licensed period.

Floor coverings Floor covering shall be complete and free from cuts, tears, or serious staining.

Interior (General) All interior trim, including headlining, door panels and speakers shall be clean, complete, properly fitted and free from serious cuts, tears or major soiling. Door handles and windows shall be operational. All fittings shall be secured in a manner that prevents sharp edges or other hazards protruding into the passenger carrying areas.

Rust The vehicle shall be free from significant areas of visible rusting. Although minor blemishes will not normally constitute a failure, the following general criteria shall be followed. Any vehicle with three or more visible rust patches larger than 5sq cms each shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing rust.

Dents: Any vehicle with minor dents on three or more panels where such dents detract from the appearance of the vehicle shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing dents.

Scratches: Any vehicle with unrepaired scratches down to bare metal on three or more panels of 50mm in length or where the cumulative appearance of scratches detracts from the appearance of the vehicle shall be failed. The vehicle examiner shall be allowed reasonable discretion when assessing vehicle condition.

Paintwork: Any vehicle with panels painted in non-matching colours, or in primer, shall be failed.

Accident damage: Vehicles with significant unrepaired bodywork damage shall be failed.

TRAILERS. Trailers shall,

1. Be maintained in roadworthy condition.
2. Be fitted with lights in accordance with The Road Vehicles Lighting Regulations 1989.
3. Display a number plate of the towing vehicle.
4. Not obscure the 'Local Authority Plate'.

Access Equipment and fittings for passengers with disabilities (where fitted): Access ramps and hoists shall properly installed and maintained in working order. Wheelchair clamps and harnesses shall be correctly fitted, be available for use and, maintained in good working order. Fittings and fitments shall be capable of being used by persons using a wheelchair.

MISCELLANEOUS MATTERS

A Private Hire Vehicle must be clearly distinguishable from Hackney Carriages.

Door panels size and design. Door identification panels shall be permanently fixed and displayed on the front passenger and driver doors. The panels may not be fixed using magnets or other non-permanent means. Panels shall measure 400mm x 127mm and clearly display the vehicle private hire plate number. The panels will be supplied by Harlow Council.

Tinted Windows: Private Hire Vehicles may be fitted with tinted windows provided that they are only supplied as standard by the original vehicle manufacturer and comply with current vehicle Construction and Use Regulations 1986 (as amended) with respect to the fitting of tinted, opaque, darkened or privacy glass windows. Do-it-yourself window tint film kits are not permissible. (Tinted windows condition amended by full Council 1st February 2018)

Version 5

Adopted by Full Council

29 March 2018

Minor Amendments have been made to this document following subsequent Licensing Committee decisions