

## THE INVERCLYDE COUNCIL

### CIVIC GOVERNMENT (SCOTLAND) ACT 1982

#### TAXI LICENCE OPERATOR STANDARD CONDITIONS

1. The holder of a taxi licence shall ensure that the taxi, including all bodywork, upholstery and fittings, is in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean condition. The bodywork, bonnet and wings must be free from any dents or other irregularities, properly painted or cellulosed and the paintwork properly smoothed down and finished.
2. It shall be the responsibility of the holder of a taxi licence to ensure that his/her vehicle shall undergo and pass all inspections required by the Licensing Authority under this condition, in the case of a vehicle less than 3 years old, the inspection will be carried out every year and in the case of a vehicle more than 3 years old, the inspection will be carried out every 6 months. The holder shall not operate his/her taxi as such without a current mechanical inspection certificate issued by the Licensing Authority. The holder of a taxi licence shall be required to produce, at any inspection of his/her taxi, the relevant insurance and registration documents in respect of the vehicle which shall be required to comply with the conditions relating to such documents as set forth elsewhere in this Schedule.
3. The holder of a taxi licence, when the taxi is damaged in a vehicular accident or any other means, shall report the damage to the Licensing Authority in writing as soon as practicable and, if the taxi is roadworthy, he/she shall present it for, examination to the Licensing Authority at their Vehicle Testing Station either immediately or on the next working day (being a day on which the testing facilities operated by the Licensing Authority operate) after the occurrence. Such repairs as are indicated by the operator of the Testing Station shall be carried out on the taxi as soon as is practicably possible and the taxi shall thereafter be submitted for re-examination; it is expressly understood that no vehicle shall continue to be used as a taxi after an accident without the express authority of the Licensing Authority.
4. When a taxi is available for hire it will display an illuminated roof sign to that effect.
5. The holder of a taxi licence shall not ask the driver of a taxi to do anything which would result in the driver committing a breach of the conditions attaching to the grant of the driver's licence.
6. The holder of a taxi licence shall keep an up-to-date list of the names and addresses of all taxi drivers employed by him. The holder of a taxi licence shall inform the Licensing Authority of any change of address, whether permanent or temporary, as shown in his/her licence within seven days of such change of address and provide proof of this; any change of address intimated to the Licensing Authority shall not be treated as a Variation of Licence and the licence shall be amended at the Licensing Authority's cost.
7. The holder of a taxi licence shall be bound to fulfil or cause to be fulfilled, at the time and location specified, an engagement to hire his/her taxi which he/she has accepted, unless prevented by sufficient cause.
8. The holder of a taxi licence shall hold, in his/her own name, the requisite vehicle registration document and the certificate of insurance in relation to the taxi required by Part VI of the Road Traffic Act 1972. For the avoidance of doubt, the phrase "certificate of insurance" relates to a bona fide certificate as such and not to a "cover note", which latter shall only be accepted as evidence of satisfactory insurance at the discretion of the Licensing Authority. Where more than one name appears on the taxi licence, the vehicle registration document and the certificate of insurance shall be in the name of at least one of those names. If, at any time during the currency of the licence, the vehicle registration document or certificate of insurance be no longer in the name of the licence holder, the licence shall become null and void with immediate effect.
9. The holder of a taxi licence shall ensure that, while the vehicle is in use as a taxi, any plates or other devices which have been issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi are displayed at all times in positions approved by the Licensing Authority.

10. The holder of a taxi licence shall not obliterate or deface any plate or other device which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi and which is fitted to the taxi. If any such plate or other device becomes obliterated or defaced so as not to be distinctly visible or legible or if any such plate or other device is lost, the holder of the taxi licence shall report this to the Licensing Authority as soon as practicable in order to obtain from the Licensing Authority a replacement plate or other device.
11. The holder of a taxi licence shall obtain from the Licensing Authority a notice or notices detailing the approved maximum taxi fares and charges appropriate to the exclusive or to the shared hire of the taxi and shall ensure that the notice or notices are readily available in the passenger compartment of the taxi for display to a passenger or passengers should he/she or they request to see such notice or notices. No other table or tables of fares and charges shall be displayed or available within the passenger compartment of the taxi other than, that is, any fare table in respect of the use of the taxi as a taxi-bus as is more particularly provided for in terms of Condition 22 below.
12. The holder of a taxi licence, if the cost of the journey is not regulated by a licensing authority fare structure, and if the taxi is not being used as a taxi-bus, shall take steps to ensure that any potential hirer of his/her taxi is informed, prior to acceptance of the hire, (a) that the fare is not so regulated; and (b) the cost, or method of calculating the cost, of the proposed journey.
13. The holder of a taxi licence shall not display on his/her vehicle any signs for the purpose of advertising its services as a taxi other than those approved by the Licensing Authority.
14. The holder of a taxi licence shall display upon the roof of his/her taxi a sign of a type, design and specification approved by the Licensing Authority for the purpose of identifying the vehicle as a taxi and/or, where appropriate, that the taxi is available for shared hire, the sign to be mounted in such a way and in such a position as shall be approved of by the Licensing Authority.
15. The holder of a taxi licence, at any time when the taxi is being used as a taxi-bus, shall cause to be displayed on the taxi, in such a position and in such a form as may be prescribed by the Licensing Authority, a notice which indicates that the taxi is being used as a taxi-bus.
16. The holder of a taxi licence shall have affixed to the taxi only a taximeter which has been approved by the Licensing Authority as appropriate to the type of hire (whether exclusive or shared) for which the taxi is available or on which it is engaged. This condition shall not apply to any taxi while it is in use as a taxi-bus.
17. The holder of a taxi licence shall not use, or cause to permit to be used, on a taxi a road wheel or tyre of a different circumference from that for which the taximeter affixed to the taxi was designed and geared and which has been tested by the Licensing Authority.
18. The holder of a taxi licence shall use only a taximeter which has been stamped or sealed by the Licensing Authority after testing as respects distance and time in accordance with the approved taxi fares and charges. Once a taximeter is fitted to his/her taxi he/she shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment affixed thereto by the manufacturer or Licensing Authority except to remove the taximeter for repair or replacement. Should the seal be broken the taximeter shall be re-tested and passed by or on behalf of the Licensing Authority before being used again.
19. The holder of a taxi licence shall ensure that the taximeter fitted to his/her taxi is in a position approved by the Licensing Authority and illuminated to display the amount of fare recorded to the passenger(s) when necessary.
20. The holder of a taxi licence shall not operate the taxi, nor cause nor permit it to be operated, other than as a taxi-bus, while the seals affixed to any taximeter and, where so affixed, to the vehicle, are broken or detached.
21. The holder of a taxi licence shall not knowingly use, nor cause nor permit to be used, a taximeter which is in any way defective.

22. The holder of a taxi licence shall, at any time when the taxi is being used as a taxi-bus, cause to be displayed in the taxi, in such a position and in such a form as may be prescribed by the Licensing Authority so that it is clearly legible to passengers, a fare table containing sufficient information to enable a passenger to ascertain the fare for his/her journey or the manner in which that fare is calculated.
23. The holder of a taxi licence shall ensure that the taxi is adequately insured, including passenger insurance, at all times. If at any time the insurance cover expires, either in whole or in part, the holder must inform the Licensing Authority immediately in writing of this fact and unless otherwise advised in writing by the Licensing Authority, shall not use the taxi as such until appropriate insurance cover has been effected and the Licensing Authority so advised. Where the insurance cover for the vehicle licensed is for less than a period of one year the licence holder must (a) renew the insurance cover prior to the date of its expiry and exhibit the receipt for the premium paid to the Licensing Authority within seven days of payment and (b) retain and exhibit on demand to the Licensing Authority all receipts for a period of at least one year preceding the date of any inspection by the Licensing Authority; the Licensing Authority at its discretion may charge for the cost of such inspections.
24. The holder of a taxi licence, on demand by the Licensing Authority and by any Officer of the Licensing Authority authorised for the purposes of Section 5 of the Civic Government (Scotland) Act 1982, shall make available for perusal or examination as necessary any or all of the following:-
  - (a) the vehicle for examination at such time and place as may be reasonably required by the Licensing Authority, such examination to take place at the Authority's expense;
  - (b) satisfactory evidence of the existence of policies of insurance applicable to the vehicle and their terms within three days of receiving such a request;
  - (c) any other document or article relating to the operation of the taxi or its driver.
25. The holder of a taxi licence, except where otherwise provided, shall pay in advance the charge fixed by the Local Authority in respect of any examination or re-examination of the vehicle and any testing, sealing or re-sealing of the taxi meter.
26. In the event of a taxi becoming unfit for any cause during the course of a hire with the result that the taxi cannot convey the hirer to the destination for which the taxi was engaged, no fare may be charged for the distance already travelled, provided that, should the hirer elect to wait until repairs are completed, or to use a substitute taxi provided within a reasonable time, the full fare for the completed journey shall be exigible, less the amount of fare chargeable for waiting.
27. The taxi under this licence is licensed to carry a maximum of four passengers excluding the driver of the taxi.
28. No taxi shall carry a greater number of passengers than it is licensed to carry.
29. The holder of a taxi licence must carry, in a suitable fastener in the taxi, a fire extinguisher of a type and in a position approved by the Licensing Authority, which extinguisher shall be maintained in a satisfactory working condition at all times.
30. The holder of a taxi licence shall not cause or permit his/her taxi to stand or ply for hire during any period it does not comply with the provision of Condition 1 above.
31. The holder of a taxi licence shall ensure that, when his/her vehicle is presented for examination with a view to the renewal of his/her licence or for an inspection as provided for in terms of Condition 2 above, the bodywork and passenger accommodation of the vehicle are clean and that the underside of the vehicle is free from road dirt, excess oil and grease.
32. In these conditions:-

"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;

"shared", as applied to the hire of a taxi, means that each passenger is carried as 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 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.

33. The holder of a taxi licence is only permitted to install a CCTV system in his/her vehicle having first notified the Licensing Authority of his/her intention to do so and having received an acknowledgement of the notification and permission in writing from the Licensing authority that they may proceed with the installation of the CCTV system.
34. The holder of a taxi licence is only permitted to install and operate a CCTV system in his/her vehicle in accordance with the terms of the Licensing Authority's policy on the installation and operation of CCTV systems in taxis and private hire cars.

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

Legal Services Manager  
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