

Appendix C

Drivers Licence Conditions

Period of issue

Hackney Carriage or Private Hire Driver's licences will be issued for a maximum of 12 months.

Fit and proper

Before a licence can be issued or renewed, the Council must be satisfied that the applicant is a "fit and proper" person to be licensed. When determining whether an applicant or licensed driver is fit and proper, the council will have regard to its convictions policy, at Appendix H of this Policy.

Licensed drivers must have entitlement to work in the UK, and produce evidence of this entitlement if requested.

Licensed drivers are under an ongoing duty to inform the Licensing Service of any matter that may have a bearing on their continuing fitness and propriety to be a taxi driver.

Convictions, cautions, etc

In particular, licence holders, who are convicted of, or who are otherwise cautioned or penalised for any criminal or motoring offence during the period covered by their licence, must inform the Council in writing of the offence and the penalty within seven days of the conviction, or alternative disposal of the offence.

Any acceptance of a police caution or fixed penalty notice is an alternative disposal of an offence.

Applicants and licensed drivers must provide an Enhanced disclosure of their criminal record, on application, and before every third anniversary of grant. Proof of identity and address to the DBS standards must be provided.

Applicants must also provide a basic disclosure of their criminal record) that is less than one month old on the date of application, on grant **if** this is more than 12 months after the date of the Standard Check, **and** before every renewal application in years when the Standard check is not due. (i.e first and second anniversary of grant, fourth and fifth, seventh and eighth, etc).

Applicants who have lived in the UK for less than 5 years must also provide a certificate of good conduct from the relevant Embassy in the case of an overseas applicant.

Driving Record

Applicants must produce both parts of the most recent issue of their DVLA driving licence before first grant and on renewal. Both parts must be valid and in date. An out of date DVLA licence photo card automatically suspends any taxi drivers licence held by that individual.

Applicants must provide the Council with a mandate to access their DVLA driving record, and the enquiry fee.

Medical fitness and examination

Licence holders must have produced a currently valid medical examination certificate.

Medical examinations must be conducted by a Doctor on the Council's approved list, or by their own GP or another GP at their registered practice.

The standard of the examination must be to the Group 2 medical standard applied by the DVLA to PSV and HGV drivers.

If you are under 45 years of age, the Doctor may issue a certificate which is valid until age 45. If there is a doubt as to your standard of health, the Doctor may require a more frequent examination.

If you are between 45 years and 65 years of age, the maximum length of a certificate is 5 years; the Doctor may require a more frequent, examination.

Over 65 years of age, the maximum length of a certificate is 1 year.

You are responsible for paying all medical fees.

Additionally, you must be capable of lifting weights of up to 15 kG, so as to provide reasonable assistance to passengers with luggage, unless you have a medical exemption certificate from the Medical Adjudicator excusing you from this requirement.

Property in the licence and badge

The Hackney Carriage or Private Hire Drivers badge remains the property of the Council, and must be worn in such a position that it can be clearly seen at all times when plying for hire or when passengers are in the vehicle. A copy of the drivers badge must be displayed on the windscreen so that it is visible to a front seat passenger.

Badges and licences must be returned to the council on demand by any authorised officer.

Other licence conditions

Licensed drivers must

- Have held a full UK or EEA driving licence for three years from the minimum age to hold a full UK driving licence (currently 17).
- Comply with the code of conduct and dress code, and all relevant legislation.
- Report any new name or address to the Licensing Service by the next working day after the change.
- Produce their original DVLA driving licence (both parts) within 30 days of any change of name, address, licence photo card photograph, or addition of DVLA penalty points, to the Licensing Service.
- Search the vehicle after being hired. Any property accidentally left in the vehicle should be taken to a Police Station.
- Attend punctually, if hired to pick up a fare at an agreed time and place, unless there are extenuating circumstances.

- Comply with seat belt legislation:-

Note: Seat belts

Hackney Carriage and Private Hire drivers are exempt from wearing seat belts whilst carrying passengers, (Hackney Carriage drivers are also exempt while plying for hire). It is the driver's responsibility to ensure that all passengers under 14 years use the seat belts or child restraints. Drivers should encourage adult passengers to wear seat belts.

- Be aware of the advice given in the Highway Code in relation to the 'hands free' operation of mobile phones, radio microphones etc, and comply with all relevant legislation.
- When requested, carry a reasonable amount of luggage.
- Operate strictly within the terms of the licence issued to them, in particular a Hackney Carriage driver may not drive a vehicle licensed as a Private Hire Vehicle (unless they are the holder of a dual licence) and a Private Hire Driver may not drive a Hackney Carriage.
- NOT carry more passengers than the maximum permitted for that vehicle.
- No smoking is allowed in licensed vehicles at any time, to comply with Regulations under the Health Act 2006.
- NOT refuse to carry a dog which is specially trained to accompany a blind or hard of hearing passenger, unless the driver has a medical certificate to the effect that the driver has an allergy to dogs. Other dogs may be carried at the discretion of the driver.
- Pay all fees and charges due from them to the Licensing Service.
- Ensure the licensing service is at all times in possession of valid and up to date inspected copies of documents that you are required to have as a condition of your driver licence or any associated vehicle or operator licence.
- Provide a recent passport sized photograph that complies with the Passport Agencies requirements with each renewal application.
- Take adequate rest and refreshment to enable you to drive safely.

Additional conditions for Hackney Carriage drivers:-

Hackney Carriage Drivers must:-

- When plying for hire on a rank, a Hackney Carriage driver must join the end of the queue and NOT park in contravention of any 'no waiting' restrictions.
- When using a taxi rank, take up a position at the rear and move forward when spaces become available.
- Not leave a taxi unattended on a rank.

- A driver may be licensed as both a Hackney Carriage Driver and a Private Hire Driver (known as a dual licence).
- For hirings that begin and end in East Herts, Hackney Carriages may not charge more than the amount shown on the meter (but you may accept a gratuity if one is offered). You may charge less. The meter must be correctly calibrated to the current Table of Fares, and the fare table must be available to passengers. The meter must be used on all journeys that do not begin and end in East Herts **if** no agreement has been reached with the passenger about the fare for the journey.

Additional conditions for Private Hire drivers:-

- A Private Hire Driver may only respond to bookings made with a licensed private hire operator, he/she must not “ply for hire”.