

Consultation on making card payment facilities mandatory in East Herts licensed vehicles

Dear Licence Holder

East Herts is considering making it mandatory for all licensed vehicles to have facilities to take card payments as well as cash. This proposal is based on the risk to public safety posed to individuals that may not be able to get a licensed vehicle due to not having the cash to pay for it.

The consultation is open from 1st May 2023 until 31st May 2023 (midnight).

The details of the proposed changes are:

- By (date to be determined), all licensed Hackney Carriages vehicles, must always have available, an electronic device that allows contactless or card payments to be made. The driver must ask the passenger if they require a receipt. If the passenger requires a receipt, the driver must provide one which accurately states the time and date of the journey, driver number and fare.
- By (date to be determined) all licensed Private Hire vehicles, must always ensure, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.

Insert into Appendix E, the Licensing Record Points Scheme, the following which will apply to the vehicle proprietor:

Offence / Breach of condition - Failure to provide operational card payment facilities

No of points - 1st offence 3, 2nd offence 6, 3rd offence 9.

Insert into Appendix B, Vehicle and Trailer Specifications and Conditions, the following:

All licensed Hackney Carriages vehicles, must have available at all times, an electronic device that allows contactless or card payments to be made. A receipt which accurately states the time and date of the journey, driver number and fare, must be provided if requested by a passenger.

All licensed Private Hire vehicles, must ensure at all times, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.

All card payment devices must:

- a) comply with the requirements of the current UK banking industry standards as stipulated by the Financial Conduct Authority (FCA).*
- b) be checked regularly and maintained to operational standards, including repairs after any damage. Any damage preventing the device from functioning must be notified to the Licensing Team and be repaired within 72 hours. If the device cannot be repaired, it must be replaced in 72 hours. Failure to do so will lead to Licensing Record Points being issued or the vehicle licence being suspended. If the vehicle is suspended it will be until such a time as a functional device is in operation.*
- c) meet all requirements and standards as stipulated by the card scheme companies in terms of connections to a host such as GPRS, 3G, 4G, Bluetooth or other connection methods to complete payment transactions.*
- d) provide the functionality to protect the confidentiality of critical data (in particular PINs) whilst the card transaction is being processed.*
- e) payments through apps are permitted, if a passenger has access to the app via their own phone or device. Drivers must not enter card details into their own phone or device to process a payment.*

Licence holders are reminded, they are legally obliged to comply with the requirements of data protection legislation in respect of all transaction processes, data management and storage. This includes the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and any subsequent data protection legislation. You can find out more about your obligations from the Information Commissioner's Office (ICO). This is relevant when handling personal information such as names, addresses, email addresses and telephone numbers. All such processing must comply with the requirements of data protection legislation. Breaches of data protection legislation may impact on the ability to hold a licence with the Council.

Proposed implementation process and time scale: Vehicle proprietors will have 3 months in which to ensure that card payment facilities are operational within their vehicle. The 3 month period will start from the date the decision is made.

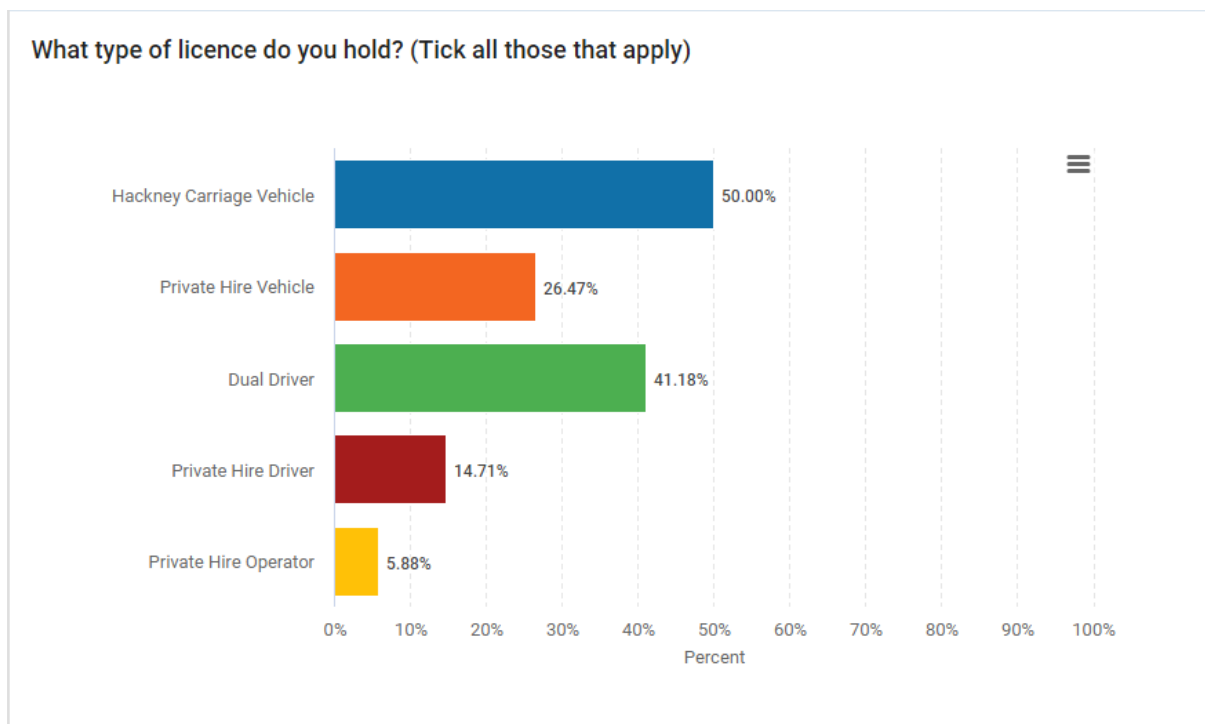
(Note: Taking into account the decision making process the implementation date is likely to be 26th October 2023 at the earliest).

Compliance checks: The requirement for card payment facilities will be added to the vehicle condition certificate (VCC). Additional checks by officers will also be carried out randomly and following any complaints.

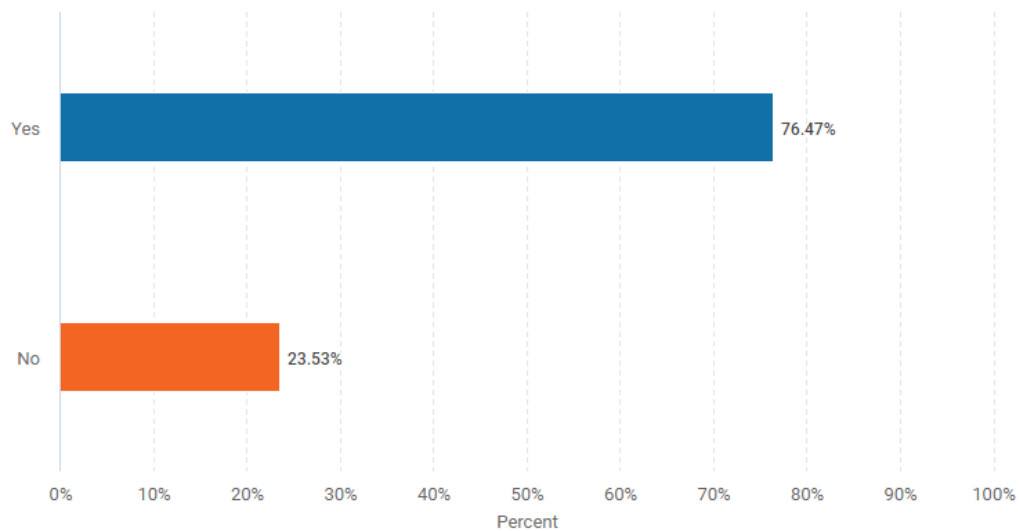
As a member of the licensed trade we would value your opinions. If you have any questions then please email them to licensing.taxis@eastherts.gov.uk or attend one of the trade meetings and ask us in person.

Regards

Licensing Team



Do you agree with the proposal to make card payment facilities mandatory in all vehicles licensed by East Herts Council?



Explanations for answers to question 3 of the consultation:

1. I already have card payments available it's easier
2. It's convenient and safe for customers and drivers as well.
3. Everyone has there own preference of payment and how they want to be paid.
4. As I mentioned below I do operate with a card reader but there are many places in the UK where the reception is very bad regardless of your phone or network operator. Many times you have to drop off passengers where the reception is to bad and you don't have signal (for example sometimes it happens even close to an airport, or if they live at some hidden places) so there are some circumstances when you can't use the card reader. Also sometimes it takes more than 72 hours to order and receive a new card reader in case you have to change it.
5. I've taken card payments since 2003 Also all corporate cards are only services only Also it provides a safe way to take out of area payments . It provides the consumer with a alternative payment method.
6. It makes sense to me and its better for the customer and no cash in the car.
7. Easier for customers to pay as everything is electronic
8. Easy facilities to take payments.

9. Many people don't carry cash and do not feel comfortable having it around them ..I believe that all retailers and services should make paying by card possible.
10. Majority of drivers offer card payments because it is customer's preferred payment method. 72 hours for replacement is too short period considering the card machine can't be just fixed, but sent to provide. If the card machine breaks on Friday it's unlikely I receive replacement on Monday. The card machine may not have the option to put license number on the receipt. Usually only name and address of the business is possible to add on the receipt.
11. Passenger convenience
12. Not all customers carry cash and these days it seems to be more convenient to pay by card.
13. Will make taxi more attractive to young people, who normally don't carry cash.
14. It makes it a lot easier for customers and drivers to process payments.
15. It's easy to take payment and the nowadays many people are asking for the card facilities.
16. I've had credit card facilities for over 15 years It's a service that the consumer will use Since c19 the ratio is now 75% card payments We're before c19 it was probably around 25% It's also a good security item you are carrying less Cash or if you have payment concerns you can take payment in advance.
17. For customers convenience and to stop drivers picking and choosing jobs off taxi ranks.
18. Making it easier for youngsters who generally use apple pay or card payments.
19. It easy than dealing with money.
20. Same time the costumer didn't have enough money on his account.
21. Keeping up with technology.
22. I had my credit card machine at least ten years. I was the first one down at Bishop's Stortford Stn, after that it court on. Some people don't to cash, they want to card. 2/3 per pay by card now.
23. I have a card reader, but I don't believe it fair to make it mandatory for all drivers. There is always a cost in obtaining the equipment, and then there are also fees. A while ago the regulations regarding card payment fees meant drivers cannot pass on this cost to customers. I would suggest that almost everyone who has a payment card can make direct transfer, and most drivers that work with a taxi company have this facility in the office.

A lot of people still expect to pay cash, and irrespective of this there are still plenty of cash points about.

24. The general public are using cash less and less In everyday life .why should taxi /private hire fares be any different. In my experience especially after the pandemic most people expect to be able to use card / Apple Pay /Apple Watch etc to pay for their journey .
25. I agree as a lot of customers prefer to use card machines to pay for taxi fares.
26. I believe it's down to the individual to decide whether they want to take care payments, I don't think it should be a contributing factor as to whether you get re licensed. There is still a great need for cash, for the times when card readers aren't working either to having no signal in the area your dropping off of if the system is down.
27. It's a fast-moving trade. If we were to compete with ride sharing companies (Uber, Bolt etc) we have to adapt to the new trends. In generally people don't carry cash anymore, so I support the motion, but the drivers should be allowed to take a fee of £0.50 per transaction.
28. It's better to keep earnings amount of money.
29. It's giving more business opportunity.
30. Yes I agree.
31. I do not believe that it should be Mandatory, it should be an individual's choice, it should be up to each individual how they wish to run their business. This is not a health and safety issue, there are many taxis in the town that have that facility if you are worried about choice, should we mandate every taxi has a charging cable for every phone for convenience, should every taxi have a fridge in the boot for convenience. At what point do we draw the line, convenience leads to apathy, with the current climate of heading towards CBDC many people are concerned for the push for cashless society that will lead to the exclusion of swaves of society who for reasons out of their control can not get bank accounts much less debit cards. I am firmly against mandates on how one should run their business.
32. To ensure consistency in that all passengers will know they can pay by card. I can't see how a minicab driver can work successfully without a card reader as most passengers pay this way anyway.
33. To make it more convenient for customers to give them options in payment options.
34. This shouldn't be made mandatory for Private Hire. I can understand it might be wise to make it mandatory for Hackney Carriage as they can be

flagged down and passengers may only have cards on them. With Private Hire we are pre-booked. I explain to my customers at the time of booking that I take either cash or BACS payments which my customers are happy to do and all is arranged in advance, I have had no issue with not having card payment facilities. I feel it therefore shouldn't be made mandatory but up to the individual companies to implement this if they feel it necessary. Also its another monthly expense to have the facility for card payments. This business is hard enough without another expense!!!!

Do you already have facilities to take card payments?

