

APPENDIX H**PRIVATE HIRE DRIVER'S LICENCE CONDITIONS****1. Conduct of Driver**

- 1.1. The holder of a driver's licence (hereafter known in this Appendix as the driver) shall comply with the following conditions, which should be read in conjunction with the Code of Conduct set out in **APPENDIX J**.
- 1.2 The driver shall be respectably dressed, clean and tidy in appearance at all times whilst his vehicle is being made available for hire.
- 1.3 The driver shall at all times, when acting in accordance with the drivers licence granted to him, wear such badge as supplied by the Council in such position and manner as to be plainly and distinctly visible at all times.
- 1.4 The driver shall not lend the badge to any other person or cause or permit any other person to wear it.
- 1.5 All licences, badges and plates remain the property of the Council at all times. They must be returned forthwith when employment as a licensed driver ceases, the licence expires or is not renewed, or where the licence is suspended or revoked.
- 1.6 The driver shall behave in a civil, polite and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in, or entering or alighting from, the vehicle.
- 1.7 The driver shall not wilfully or negligently cause or permit the vehicle licence plate to be concealed from public view, or allow the licence plate to be so defaced as to make any figure or information illegible.
- 1.8 The driver who has agreed to, or has been hired to, be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such vehicle as such appointed time and place.
- 1.9 The driver when hired to drive to a particular destination shall proceed to that destination by the shortest available route.
- 1.10 The driver shall not convey, or permit to be conveyed, in such vehicle any greater number of persons than the number of persons specified on the vehicle licence.
- 1.11 The driver shall convey a reasonable amount of luggage and afford reasonable assistance in loading and unloading luggage.
- 1.12 The driver must not solicit, by calling out or otherwise importune, any person to hire or be carried for hire and must not accept an offer for the hire of the vehicle except where that is first communicated to the driver by pre-booking.
- 1.13 The vehicle shall be presented in a clean and tidy condition for each journey.
- 1.14 The private hire vehicle must only be driven with the consent of the proprietor of the vehicle.
- 1.15 The driver must not drink or eat in the vehicle whilst in the presence of customers.

- 1.16** The driver must comply with any hirer's request not to play any radio or sound equipment which is not connected with the operation of the business.
- 1.17** The driver must ensure that the noise emitted from any sound equipment in the vehicle does not cause annoyance to any persons, whether inside or outside the vehicle.
- 1.18** The driver shall not operate the horn late at night as a means of signalling that the vehicle has arrived.
- 1.19** The drivers must not cause or permit the vehicle to stand on a public road, on a hackney carriage rank, or in a public place so as to suggest that it is plying for, or available for, hire.
- 1.20** Drivers must not use a mobile phone whilst driving unless it is designed for hand-free operation.
- 1.21** Any change affecting the licence must be notified to the Council. Notification should be as soon as reasonably practicable and in any event, no later than seven days after the change was effected.
- 1.22** If the driver is convicted or bound over for any offence, they shall within 7 days give details in writing of the offence, conviction, prosecution or caution or binding over to the Council.
- 1.23** The private hire driver's licence must be made available for inspection, upon request, by any authorised officer of the Council or any police officer.
- 1.24** The driver must notify the Council within seven days of starting or terminating employment, as to the name and address of the proprietor concerned and the date when the employment either started or ended.
- 1.25** The private hire driver's licence must be presented to the proprietor concerned at the beginning of the employment.
- 1.26** In accordance with section 50(3) of the Local Government (Miscellaneous Provisions) act 1976, any accident to a private hire vehicle causing damage materially affecting:
- i) The safety, performance or appearance of the vehicle
 - ii) The comfort or convenience of the passengers
- must be reported to the Council as soon as reasonably practicable, and in any case within 72 hours of the accident.
- 1.27** A driver must carry assistance dogs when required. Assistance dogs include guide dogs for the blind or partially sighted, hearing dogs for the hard of hearing, and other assistance dogs which assist disabled people with a physical impairment. Any driver with a medical condition, which may be exacerbated by dogs, may apply for exemption from this condition. On production of suitable medical evidence, a certificate of exemption will be issued which must be carried in the vehicle at all times. Unless the certificate of exemption is available in the vehicle, the exemption will not apply.

2. Medical Fitness of Driver

- 2.1** The driver of a private hire vehicle must at any time, or at such intervals as the Council may reasonably require, produce a certificate issued by the drivers own GP or someone with access to their medical records to the effect that they are, or continue to be, physically fit to be a driver of a private hire vehicle.
- 2.2** The driver must cease driving any private hire vehicle and contact the Council immediately if they know of any medical condition which may affect their:
- i) Driving ability
 - ii) The health and safety of themselves or any passengers.

3. Fares and Journeys

- 3.1** The driver/operator of a private hire vehicle may make their own agreement with the hirer as to the fare for a particular journey.
- 3.2** The driver shall, if requested by the hirer, provide him with a written receipt for the fare paid.
- 3.3** If the vehicle is fitted with a taximeter, then the driver of a private hire vehicle must:
- i) Unless the hirer expresses at the commencement of the journey their desire to engage by time, bring the meter into operation at the commencement of the journey, and bring the machinery of the taxi-meter into action by moving the said key, flag or other device, before beginning a journey and keep the machinery of the taxi-meter in action until the termination of the hiring.
 - ii) When standing, keep the key, flag or other device fitted for that purpose locked in the position in which no fare is recorded on the face of the meter.
 - iii) Cause the dial of the taxi-meter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972, and also at any other time at the request if the hirer.
 - iv) Not demand from any hirer of a private hire vehicles a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a fare meter, the fare shown on the face of the taxi-meter.
- 3.4** In the event of a journey commencing in but ending outside the Borough of Swale there may be charged, for the journey, such fare or rate (if any) as was agreed before the hiring was effected. If no such agreement was made then the fare to be charged should be no greater that that determined by the taxi-meter.

4 Wheelchair Accessible Vehicles

- 4.1** All drivers of wheelchair accessible vehicles must:
- i) Be fully conversant with the correct method of operation of all ramps, lifts and wheelchair restraints fitted to the vehicle.

- ii) Before any movement of the vehicle takes place, ensure that all wheelchairs are firmly secured to the vehicle using an approved restraining system and the brakes of the wheelchair have been applied.
- iii) Ensure that any wheelchairs, equipment and passengers are carried in such a manner that no danger is likely to be caused to those passengers, or to anyone else, in accordance with the regulations detailed in section 100 of the Road Vehicles (Constructions and Use) Regulations 1986.