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**East Dunbartonshire Council**

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**Private Hire Vehicle Driver's Licence Conditions, Fitness Policies and S21 Guidance**

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# **EAST DUNBARTONSHIRE COUNCIL**

## **PRIVATE HIRE VEHICLE DRIVER'S LICENCE CONDITIONS**

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## **PRIVATE HIRE VEHICLE DRIVER' S LICENCE CONDITIONS**

### **DEFINITIONS:-**

- (a) "Authorised Officer" means any person authorised by the Council to act in connection with any matter relative to the Schedule of Conditions and to the Act or amendment or re-enactments thereof and any statute or regulation affecting the Act.
- (b) The "Act" means the Civic Government (Scotland) Act 1982.
- (c) "Council" means East Dunbartonshire Council as the licensing authority in terms of the Act. .
- (d) The "Licence Holder" means the person to whom the Council has granted a licence and whose name is specified in the licence to which the Schedule of Conditions relates. References to masculine gender include feminine unless the contrary intention appears.
- (e) "Operator" means the holder of an Operator's Licence.
- (f) "Operator's Licence" means a private hire car licence within the meaning of s.10 of the Act.
- (g) The "Schedule of Conditions" means the undernoted numbered conditions imposed by the Council in respect of the licence, with which the Licence Holder must comply and also referred to as the "Conditions".
- (h) The "Vehicle" means the private hire vehicle which is subject to a Private Hire Vehicle Operators Licence issued by the Council and driven by the Licence Holder in furtherance of the Licence.
- (i) "Licensed Area" means the local authority territory known as East Dunbartonshire, as defined within the Local Government etc. (Scotland) Act 1994, as amended.

### **SCHEDULE OF CONDITIONS**

1. A Licence Holder shall ensure that the following documentation is carried in the Vehicle at all times:
  - a. The private hire vehicle driver's Licence issued by the Council (copy);
  - b. The badge of identification issued by the Council;
  - c. The Operator's Licence (copy); and
  - d. An original or copy of an up to date, valid certificate of insurance issued for the Vehicle.
2. The badge of identification referred to in Condition 1(b) shall be displayed in a prominent position at all times whilst the Vehicle is being driven, and worn by the Licence Holder should he leave the immediate proximity of the Vehicle. The identity badge issued by the Council shall include the driver's name, a recent photograph showing a true likeness and the date on which the licence expires. The badge of identification must be shown to any passenger upon request
3. The documents referred to in Condition 1 shall be exhibited by the driver upon demand to either a police officer or an Authorised Officer.
4. The Licence Holder must exhibit to the Council, an Authorised Officer, and/or police officer when required, the certificate of insurance for the Vehicle to satisfy the Council, an Authorised Officer, and/or police officer that the Vehicle is currently insured and has been continuously insured throughout the full currency of the licence.

5. A Licence Holder shall not obstruct in any way an Authorised Officer and/or police officer in the performance of their duties/powers under the Act.
6. A Licence Holder shall comply with all lawful instructions and/or directions of an Authorised Officer or police officer in relation to these Conditions and shall hand over all information reasonably required in the discharge of their duties.
7. The Licence Holder shall ensure that a Vehicle never carries more than four passengers, except in the case where a Vehicle designed to carry more than four passengers is tested at a testing station authorised by the Council and approved to carry more than four passengers. The maximum permitted number of passengers which will be authorised in terms of this licence will be eight passengers. For the purposes of this Condition, one person constitutes one passenger.
8. The only exception to the maximum permitted number of passengers specified in Condition 7 shall be in relation to chauffeur driven vehicles, in which case the maximum permitted number of passengers which will be authorised in terms of this licence shall be the number specified in the Vehicle Registration Document.
9. A private hire vehicle drivers licence shall be required for driving any Vehicle as a chauffeur whilst carrying passengers under a contract for its exclusive hire for a period of less than twenty four hours. This Condition does not apply to a Vehicle while it is being used in connection with a funeral or wedding. Nor does this Condition apply to any type of minibus, bus or coach.
10. The Licence Holder shall at all times ensure that, where provided by the manufacturer, the manufacturer's recommended spare wheel and tyre or an equivalent is carried in the Vehicle, and that said wheel and tyre are in a roadworthy condition. If any tyre and/or wheel has been punctured or damaged and has been submitted for repair then the Licence Holder shall ensure that evidence of that repair is carried in the Vehicle. The Licence Holder shall ensure that the requirement for repair is reported to the holder of the Operator Licence immediately upon becoming aware that the wheel and/or tyre are in need of repair.
11. The Licence Holder shall not display internally or externally on the Vehicle any advertisements/signage without the prior written consent of the Council, which consent shall not be unreasonably withheld. In particular the Licence Holder shall not display details of more than one booking office currently licensed by the Council.
12. The Licence Holder may only operate from a radio base or control point located within the Licensed Area.
13. At the conclusion of any journey which requires the Licence Holder to leave the Licensed Area, the Licence Holder must return immediately to the Licensed Area.
14. The Licence Holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire the Vehicle which has been accepted, unless prevented by sufficient cause.
15. The Licence Holder when driving a Vehicle which has been hired may not, under any circumstances, pick up or convey another passenger without the consent of the original hirer or passenger.

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16. The Licence Holder when driving a Vehicle which has been hired shall drive to the destination by the shortest practicable route unless otherwise instructed by the hirer.
17. Subject to Condition 18 below, the Licence Holder shall not refuse to drive a passenger to any place within the Licensed Area.
18. The Licence Holder need not convey any hirer or passenger who is intoxicated or otherwise not in a fit and proper state to be carried, or whose condition or clothing is offensive and likely to cause damage to the interior of the Vehicle, or who refuses to cease smoking in the Vehicle when requested to do so by the Licence Holder or, subject to Conditions 40 and 41, is accompanied by any animal which is likely to damage or soil the interior of the Vehicle, or any other reasonable excuse.
19. The Licence Holder shall, when requested to do so by a passenger, provide that passenger with a written receipt for their journey. Such a receipt shall include the date, time and cost of the journey.
20. The Licence Holder shall ensure that, whilst the Vehicle is in use as a private hire vehicle, any plates or other items which have been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle are displayed at all times in positions specified by the Council. No other signage shall be displayed on or in the Vehicle that has not been specified by the Council in writing.
21. In respect of chauffeur driven Vehicles as are referred to in Condition 9, it shall be acceptable for the front and rear plates that are issued by the Council to be kept inside the luggage compartment of the Vehicle. This is on the basis that both plates shall be exhibited by the Driver upon demand to either a police officer, Authorised Officer or passenger/s.
22. The Licence Holder shall not deface any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle. If any plate or other item which is fixed to the Vehicle and has been issued by the Council for the purpose of indicating that the Vehicle is a private hire vehicle becomes so defaced as not to be distinctly visible or legible or if any such plate or other item is lost, the Licence Holder shall report this to the holder of the Operator Licence as soon as reasonably practicable in order to obtain a replacement.
23. The Licence Holder shall ensure that, whilst the Vehicle is in use as a private hire vehicle, on both front external doors and in a position and style specified by the Council, there is a sign that has been provided by the Council and which reads 'Private Hire Vehicle Pre-Arranged Bookings Only'. Said sign must be obvious and in a position specified by the Council.
24. The Licence Holder shall not install or allow to be installed at any time a camera or other similar device (including a video and/or digital image recorder) which is capable of recording/taking/storing images of passengers entering/exiting/sitting in the Vehicle without the prior written consent of the Council and with clear signs on all external passenger doors advising of the operation of said devices operating within the Vehicle. The Council's consent to such device shall not be unreasonably withheld. The provisions of this condition shall not apply to a camera or similar device which is entirely forward facing and cannot be reset or repositioned so as to record images of passengers entering/exiting/sitting in the Vehicle.
25. If the Licence Holder changes his/her permanent address, or there is otherwise a material change in circumstances such that requires to be notified to the Council, then the Licence Holder shall

notify the Council and the holder of the Operator License in writing of said change within five working days.

26. The Licence Holder shall not smoke and shall not permit any passenger to smoke in the Vehicle at any time. This prohibition includes e-cigarettes. The Licence Holder shall ensure that a No-Smoking sign is displayed prominently within the vehicle at all times.
27. The Licence Holder shall not use a mobile phone, satellite navigation system or interactive communication device whilst the Vehicle is in motion, except a hand-free device which is permissible by law. Further, the Licence Holder shall not conduct him/herself in a manner which prevents him/her from exercising full control over the speed and direction of the Vehicle while it is in motion.
28. The Licence Holder shall ensure that, whilst the Vehicle is in use the Vehicle, including all bodywork, upholstery and interior fittings, is in a safe and serviceable condition and, subject to prevailing road conditions, in a clean condition.
29. The Licence Holder shall ensure that whilst the Vehicle is in use, there is carried in a suitable fastener a modern, legally valid, fully working fire extinguisher which is easily accessible at all times.
30. Where the Vehicle driven by the Licence Holder has had a taximeter fitted it shall be operated at all times in accordance with the following requirements:-
  - a. The taximeter has been approved and sealed by the Council and
  - b. The seal affixed by the Council has neither been broken nor tampered with in any way.
31. The Licence Holder, whose Vehicle is fitted with a taximeter, shall ensure at all times whilst the Vehicle is in use as a private hire vehicle, that there is affixed in a conspicuous position inside the Vehicle, a printed card in a slip-in frame ("the Fare Card") which shall be kept clear, legible and easily distinguishable and not concealed in any way and which shall set forth in distinct figures and lettering the detailed requirements imposed by the Council as to the fare charges to be charged.
32. The following applies in relation to Fare Cards:
  - a. where there is a taximeter fitted to the Vehicle, the Licence Holder shall ensure that any potential hirer of the Vehicle is informed, prior to acceptance of the hire:
    - i. that the fare is not so regulated;
    - ii. the cost, or the method of calculating the cost, of the proposed journey;

except where the cost of the journey is regulated by the Fare Card structure;

- b. where there is a taximeter fitted to the Vehicle, the Licence Holder shall be entitled to demand and take for the hire of the Vehicle, the fare prescribed on the Fare Card, the fare being calculated by distance unless the hirer expresses at the time of hiring his desire to engage by time, when the fare shall be the subject of special agreement. The Licence Holder shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges prescribed on the Fare Card, which may not be possible to record on the face of the taximeter;

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- c. where a taximeter is not fitted to the Vehicle, the Licence Holder shall, when asked by a potential hirer to do so, takes steps to ensure that any potential hirer of the Vehicle is informed, prior to acceptance of the hire, of either the cost or the method of calculating the cost of the proposed journey.
33. When the Vehicle is damaged in a vehicular accident or by any other means the Licence Holder shall report the damage to the Council and to the holder of the Operator's Licence within two working days.
34. The Licence Holder shall not use any abusive, sexist, offensive, discriminatory or racist language relating to a person's characteristics, identity or circumstances either in front of and/or addressed to a passenger.
35. The Licence Holder shall at all times avoid the improper use of the Vehicle's horn (e.g. sounding of the Vehicle horn to announce arrive at point of hire/pick up). NOTE: Misuse of car horns is a criminal offence.
36. Subject to Condition 37, the Licence Holder shall not to refuse to carry luggage in the Vehicle providing that the said luggage can be accommodated safely within the Vehicle and/or its luggage compartment.
37. The Licence Holder shall give such assistance as physically able to give with loading and unloading luggage when required to do so. However, the Licence Holder shall not be required to leave the immediate proximity of the Vehicle in doing so.
38. The Licence Holder shall not knowingly allow the Vehicle to be used for illegal or immoral purposes, permit to be carried in the Vehicle any article of a dirty, filthy or noxious nature or an explosive or dangerous nature, or permit to be carried in the Vehicle anyone who has vermin on his person.
39. The Licence Holder, at the end of a shift, shall search the Vehicle for any property which may have been left therein. Any property found by the Licence Holder shall, within twenty four hours, be returned to the owner of the property if known, or shall be handed in to any police station.
40. The Licence Holder shall, where a Vehicle has been hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or by a person who wishes such a disabled person to accompany them in the Vehicle, subject to Condition 41 below, carry the disabled person's dog and allow it to remain with the disabled person. The Licence Holder shall not be entitled to make any additional charge for doing so.
41. The Licence Holder may be exempted from the obligation to carry a disabled passenger's guide dog, hearing dog or assistance dog on medical grounds but only by applying to the Council for an exemption notice which, if granted, must be exhibited either by –
- a. affixing it in a prominent position on the dashboard facing upwards; or
  - b. affixing it to the windscreen of the Vehicle, facing outwards.

In either case, a Braille version of the exemption notice must be kept in the Vehicle at all times and provided to anyone requesting or appearing, in the reasonable opinion of the Licence Holder, to require this.

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42. Where the Vehicle is designated as a wheelchair accessible vehicle in terms of section 167 of the Equality Act 2010, the Licence Holder shall ensure that he/she complies with the obligations:
  - a. to carry a passenger whilst in a wheelchair;
  - b. not to make any additional charge for doing so;
  - c. if the passenger chooses to sit in a passenger seat, to carry the wheelchair; to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
  - d. to give the passenger such mobility assistance as is reasonably required
43. Where the Licence Holder holds a certificate of exemption from compliance with the obligation to assist wheelchair users then he/she shall display copies of that certificate on the external passenger doors of the Vehicle for all potential passengers to easily see.
44. The Licence Holder shall not drive the Vehicle if he/she is or becomes medically unfit to do so. The Licence Holder shall notify both the holder of the Operator Licence and the Council in writing within 24 hours of after he/she becomes aware of being medically unfit to drive the Vehicle.
45. If during the currency of the licence, the Licence Holder is charged with or convicted of any offence or receives an endorsable fixed penalty, he/she shall, within 5 working days of said charge, conviction or endorsement, provide full details in writing of such charge, conviction or endorsement, convictions to the Council. The Licence Holder shall also upon request, evidence to an Authorised Officer or a police officer that the charge, conviction or endorsable fixed penalty has been reported to the Licence Holder's insurance company.



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# **EAST DUNBARTONSHIRE COUNCIL**

## **POLICIES IN RESPECT OF TAXI AND PRIVATE HIRE VEHICLES AND DRIVER FITNESS**



## **POLICIES IN RESPECT OF TAXI AND PRIVATE HIRE VEHICLES AND DRIVER FITNESS**

This policy document has been prepared to set out East Dunbartonshire Council's ("the Council's") policy in respect of certain requirements for taxi and private hire vehicles. For a full list of the relevant requirements applying to taxi and private hire licences the relevant conditions should be consulted.

### **VEHICLE TESTING**

#### **Frequency of Testing**

All vehicles which are younger than five years old must undergo a test once per year to assess their roadworthiness and suitability for use as a taxi or private hire car vehicle, and the Licence Holder must hold a current Certificate of Compliance in respect of the vehicle issued by a Test Station showing compliance with the Council's requirements in respect of that vehicle.

In respect of vehicles which are five years old or older, these must undergo a test every six months to assess their roadworthiness and suitability for use as a taxi or private hire car vehicle, and the Licence Holder must hold a current Certificate of Compliance in respect of the vehicle issued by a Test Station showing compliance with the Council's requirements in respect of that vehicle. Consequently, for such vehicles the test pass will only be valid for six months instead of twelve months.

#### **Test Stations**

Testing must be carried out only by Test Stations that have been approved by the Council in writing.

Test Stations shall only be approved if they comply with certain requirements notified by the Council from time to time.

Among these will be the requirements to show that a valid, up-to-date Motor Vehicle Testing Authorisation of Examiner certificate issued by the Driver and Vehicle Standards Agency is in place.

A Test Station shall not be approved by the Council to carry out taxi or private hire vehicle testing in respect of any vehicle where any person who owns, has an interest in or exerts any control over the Test Station, or is involved directly in the testing, also holds or has an interest in that taxi or private hire operator's, driver's or booking office licence granted by the Council under the Civic Government (Scotland) Act 1982. Applicants for approval and current holders of approval in respect of a Test Station will be required to confirm and, if required, evidence to the Council's satisfaction that no such person is in this position.

### **VEHICLE SPECIFICATION**

#### **Vehicle Specification – Taxis**

In addition to the vehicle requirements below, all vehicles used for taxi licences must be of a Hackney, Fiat Scudo, Peugeot Euro 7 or other type of vehicle approved in writing by the Council for public hire.

## **Vehicle Requirements - Taxis**

In order to pass the annual or six monthly vehicle inspection, vehicles must meet the standards set out in the conditions of fitness of taxi vehicles which are incorporated within this policy at Schedule A Part 1 and which are also attached to the new standard taxi Conditions as Schedule A.

Guidance Notes on Vehicle Testing are to be issued to each new and existing licence holder in relation to these conditions of fitness. This guidance is incorporated within this policy at Schedule B.

## **Vehicle Specification – Private Hire Vehicles**

In addition to the vehicle requirements below, all vehicles used for private hire licences must:

- (i) be a saloon car, estate type or such other type of vehicle approved by the Council;
- (ii) have four doors;
- (iii) have an engine capacity with a power to weight ratio equal to or greater than 0.0648 hp per kg; and
- (iv) have a minimum seat cushion size of 400mm wide and 350mm depth.
- (v) have a minimum seat cushion height (or near side front cushion height if manufacturer's original) of 300mm, and
- (vi) have minimum leg room of any passenger seat of 650mm.

Subject to vehicles being included in the approved list of electric vehicles maintained by the Council and inspection and testing by the Council or Test Stations approved by the Council, private hire vehicles may use electricity as a means of propulsion including its use within any hybrid engine.

## **Vehicle Requirements – Private Hire Vehicles**

In order to pass the annual or six monthly vehicle inspection, vehicles must meet the standards set out in the conditions of fitness of private hire car vehicles which are incorporated within this policy at Schedule A Part 2 and which are also attached to the new standard private hire car conditions as Schedule A.

Guidance Notes on vehicle testing are to be issued to each new and existing licence holder in relation to these conditions of fitness. This guidance is incorporated within this policy at Schedule B.

## **HEALTH OF DRIVERS**

Fitness to drive will be assessed against the DVLA Group 2 standard. Responsibility for determining any higher standards and medical requirements for taxi and private hire vehicle drivers, over and above the driver licensing requirements, rests with the Council, in line with DVLA recommendations.

The Council has taken into account the occupational nature of the driving, the length of time that drivers spend driving on a daily basis and the fact that drivers convey paying passengers, including vulnerable passengers, in their vehicles. Accordingly it is appropriate that drivers are required to meet DVLA Group 2 medical fitness to drive standards and any medical certification required to be produced by a driver by the Council to prove that driver's fitness to drive must be to Group 2 standard.

## **SCHEDULE A**

### **Conditions of fitness of taxi vehicles and private hire vehicles.**

#### **Part 1 - Condition of fitness of taxi vehicles**

- i.** The battery shall be in good condition and free from leaking.
- ii.** Terminals shall be in good condition and free from corrosion.
- iii.** Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv.** The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v.** The speedometer shall be in full working order and shall be registering correctly.
- vi.** All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii.** Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii.** Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix.** Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x.** Tread depth of tyres shall not be less than 1.6mm across the width of the tyre.
- xi.** Wheels shall be of the type specified by the manufacturer.
- xii.** All wheels and wheel trims shall be matching.
- xiii.** Brake pads friction material shall not be less than 3.00mm.
- xiv.** The jack and wheel key shall be securely stored in the Vehicle.
- xv.** The fuel tanks shall be the manufacturer's original equipment.
- xvi.** All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.

- xvii.** The exhaust system shall be in good working order and shall be of a standard specification.
- xviii.** Bodywork shall be in good condition and shall not be damaged or extensively corroded.
- xix.** The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades (except where intrinsic to the manufacturers livery), and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx.** The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi.** The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii.** Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii.** Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv.** Roof mounted taxi sign shall be present, secure and in good working order. In particular, said sign shall illuminate.
- xxv.** The front and rear taxi plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxvi.** Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvii.** Door hinges are in good condition and are not worn or insecure.
- xxviii.** Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxix.** Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, conform to the relevant British



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standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been discharged or have a lack of pressure charge.

- xxx.** Tow bars may be fitted to the Vehicle, and may be used for towing while the Vehicle is in use as a taxi.
- xxxi.** All exterior lights fitted to the Vehicle shall be clean and in good working order.
- xxxii.** All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.

## **Part 2 - Condition of fitness of private hire vehicle**

- i.** The battery shall be in good condition and free from leaking.
- ii.** Terminals shall be in good condition and free from corrosion.
- iii.** Engine compartment components shall be in good condition, secure and with no signs of chafing. In particular, the wiring shall be secure and insulated.
- iv.** The driver compartment shall be clean and in good condition. In particular, it shall not be dirty or dusty and it shall be free from any rubbish.
- v.** The speedometer shall be in full working order and shall be registering correctly.
- vi.** All ventilation equipment and heaters shall be in full working order. In particular, the heater shall emit heat, the ventilation shall supply adequate airflow to windscreen and car interior, the vents shall be secure and the control mechanism shall be fully operational.
- vii.** Vehicle suspension shall be of the correct geometry and not excessively worn.
- viii.** Wheel alignment shall not display any visible signs of incorrect geometry e.g. feathering of tyres.
- ix.** Clutch shall be in good working order and the pedal rubbers shall not be excessively worn or missing.
- x.** Tread depth of tyres shall not be less than 1.6mm across the width of the tyre.
- xi.** Wheels shall be of the type specified by the manufacturer.
- xii.** All wheels and wheel trims shall be matching.
- xiii.** Brake pads friction material shall not be less than 3.00mm.
- xiv.** The jack and wheel key shall be securely stored in the Vehicle.
- xv.** The fuel tanks shall be the manufacturer's original equipment.
- xvi.** All visible fuel components shall be in good condition and there shall not be any fuel accumulating in/on any fitting or receptacle.
- xvii.** The exhaust system shall be in good working order and shall be of a standard specification.
- xviii.** Bodywork shall be in good condition and shall not be damaged or extensively corroded.

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- xix.** The paint finish shall be of a good standard, and in particular shall be of a uniform finish, shall not be of any different colours or shades (except where intrinsic to the manufacturers livery), and shall not contain any surface deficiencies i.e. paint runs, peeling, scratches or broken paint surface, beyond that attributable to normal use.
- xx.** The engine compartment shall be in good condition and shall not be dirty, greasy or oily.
- xxi.** The passenger compartment shall be in a good and clean condition. It shall not be dirty or dusty and shall be free from any rubbish or litter.
- xxii.** Interior upholstery shall be secure, and in a good and clean condition. In particular, the upholstery shall not be dirty, missing, insecure or torn or in such a condition as to soil clothing or adversely affect passenger comfort.
- xxiii.** Ramps and steps for disabled access shall be in good condition, shall be stable, secure, and correctly and safely stowed.
- xxiv.** The front and rear private hire car plates shall be displayed, matching and secured with the appropriate fixing kit.
- xxv.** Door opening mechanisms shall be in good condition, and in particular, the door seals shall not be damaged or missing.
- xxvi.** Door hinges are in good condition and are not worn or insecure.
- xxvii.** Taximeter (where fitted), lights, seal and calibration shall all be in good working order. In particular, they shall all be of the correct specification, shall illuminate, shall not be defective in any way and shall not fail the relevant road test. The seal shall not be missing or broken.
- xxviii.** Modern, legally valid and fully working fire extinguishers shall be present, easily accessible, and properly secured. Fire extinguishers shall be of the correct type, shall conform to the relevant British standard and shall be at all times in good working order, and where applicable within its expiry date. Alternatively, and where appropriate, fire extinguishers shall be maintenance checked every 12 months. Fire extinguishers in Vehicles shall not be damaged, have been





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discharged or have a lack of pressure charge. In respect of estate type Vehicles, no dog guard type device shall be fitted.

- xxix.** Tow bars may be fitted to the Vehicle, and may be used for towing while the Vehicle is in use as a private hire vehicle.
- xxx.** All exterior lights fitted to the Vehicle shall be clean and in good working order.
- xxxi.** All wiper blades fitted to the Vehicle shall be in good condition and any washer fluid system shall be fully operational with sufficient fluid present in the reservoir.



**Schedule B**

**GUIDANCE FOR TAXI AND PRIVATE HIRE VEHICLE  
INSPECTION**



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## **TAXI AND PRIVATE HIRE VEHICLE INSPECTION**

### **Introduction**

East Dunbartonshire Council (“the Council”), as licensing authority in terms of the Civic Government (Scotland) Act 1982, is responsible for the licensing of drivers of taxis and private hire car vehicles. To comply with licensing conditions, drivers are required to present their vehicles to the Council, or a Test Station authorised by the Council, for inspection on an annual or six monthly basis.

The purpose of this document is to provide taxi and private hire car vehicle operators with an indication of the requirements of the vehicle inspection. This document should be used as guidance for ensuring that vehicles are suitably presented for testing.

### **Vehicle Inspection**

Vehicle inspections for taxis and private hire car vehicles are required to pass the Certificate of Compliance examination according to the Council’s standards. This examination must take place annually for taxis and private hire vehicles less than five years old. In respect of taxis and private hire vehicles that are older than five years, vehicle inspections must be conducted every six months.

The condition that a vehicle must be in to pass the taxi and private hire car vehicle inspection is higher than that which is required for a M.O.T test and is to the standard contained in Schedule A to the licence conditions and Policy in Respect of Taxi and Private Hire Vehicles and Driver Fitness. A list of the standard that is required is outlined at pages 3 – 8 of this document. Generally speaking, any area where a “pass with advisory” is awarded for a M.O.T inspection will result in a failure for a taxi or private hire vehicle inspection.

In addition to assessing the mechanical condition of the vehicles, the taxi and private hire car vehicle inspection will also cover areas such as bodywork condition and cleanliness.

Testers responsible for inspecting vehicles are experienced professionals and are either officers of the Council or are acting on behalf of a Test Station authorised by the Council where a valid, up-to-date Motor Vehicle Testing Authorisation of Examiner certificate is in place. No Test Station shall be authorised by the Council to test a vehicle where any person who owns, has an interest in or exerts any control over the centre, or is involved directly in the testing, also holds or has an interest in a taxi or private hire operator’s, driver’s or booking office licence granted by the Council under the Civic Government (Scotland) Act 1982 for that vehicle..

Should the vehicle inspection result in a failure, it is the responsibility of the licence holder to carry out any remedial work prior to presenting the vehicle for a re-test.

**Lights and Electrical system**

<b>Inspection</b>	<b>Reason for Failure</b>
Check operation of all lights and indicators	Lights not working Insecure Not fitted Flickers Cracked lens Insufficient illumination Out of alignment Bulb/lens discolouration Indicator rate of flash too fast (60-120per minute)
Check battery and terminals	Insecure, leaking Corroded terminals
Check engine compartment components	Wiring not secure or insulated Signs of chafing Components insecure

**Drivers Compartment and Controls**

<b>Inspection</b>	<b>Reason for Failure</b>
Check driver compartment is clean and in good condition	Dirty/Dusty Contains any rubbish Contains any items likely to interfere with the proper control of the vehicle
Check condition and security of driver's seat & passenger seats	Seat insecure or structurally weakened Padding or covering is seriously deteriorated Seat belts must be operational and in good condition (not structurally weakened)
Check seat adjustment mechanism	Insecure, ineffective
Check steering wheel and drivers controls	Controls inoperative, ineffective, insecure Damage to steering wheel Movement between shaft and steering wheel Excessive radial movement at top of steering wheel Excessive steering shaft end float
Check Horn	Horn control or horn faulty Sound emitted not loud enough to be heard by another road user or pedestrian
Check Speedometer operation	Not working Clearly registering incorrectly
Check the operation of all ventilation equipment and heaters	Heater doesn't emit heat Ventilation not supplying adequate airflow to windscreen or car interior Insecure vents Control mechanism is inoperative

**Steering, Drive and Suspension**

**The steering wheel must be set on the offside of the vehicle.**

<b>Inspection</b>	<b>Reason for Failure</b>
Check steering mechanism	Any part of mechanism that is not working correctly, excessively worn, fouling or obstructing movement at wheel rims/brake pipes Dust covers/gators damaged/ not intact
Check Power steering operation and inspect for leaks	Power steering inoperative Leak in system Pipe damaged/ fouling Pump insecure/ drive system defective
Check transmission shafts	Any obvious damage Excessive wear in a shaft bearing Loose or missing flange bolts, flange cracked or loose on the transmission shaft Bearing housing cracked/ insecure Excessive wear in universal joint Deterioration of flexible coupling Damaged, cracked or bent shaft Fouling Dust covers/ gators damaged/ not intact
Check wheel bearings	Excessive free play or "roughness in wheel" that could result in failure
Check suspension (front/ rear)	Incorrect geometry Fracture, displacement or distortion that could affect steering operation or excessive wear.
Check shock absorbers (front/rear)	Missing, leaking, potential to detach Condition likely to adversely affect control of vehicle
Wheel alignment	Visible incorrect steering geometry e.g. feathering of tyres
Check clutch operation	Pedal not secure, pedal rubbers worn excessively or pedal rubbers missing. Excessive wear and/or defective clutch operation

**Wheels, Tyres and Brakes**

<b>Inspection</b>	<b>Reason for Failure</b>
Check circumference of all wheels/tyres	Different to that specified by taximeter
Check tyre type/size	Incorrect type of tyre (as per manufacturers standard specification) Incorrect tyre size
Check tyre condition	Any obvious damage/faults: Worn Bulge Incorrectly seated Cut(s) Tread depth is less than 1.6mm across the width of the tyre
Check wheels	Incorrect size Wheels different from manufacturers specification Any obvious damage to wheel or rim Spare wheel is not full size, or a is not a manufacturers recommended space saver wheel Non-matching wheels or wheel trims
Check wheel security	Insecure, loose nuts
Check foot pedal/ hand brake	Operation/condition/ fitment and performance Any side play Excessive wear/travel Pedal rubbers worn excessively or missing. Brake pads friction material - less than 3.0mm Handbrake pawl insecure/ineffective
Check service brake operation	General condition, fitment & performance Failure on brake tester, vacuum not building.
Check brake pipes	Leaks rust, insecure, fouling.
Check jack and wheel key	There is no appropriate wheel key or jack securely stored



**Fuel and Exhaust system**

<b>Inspection</b>	<b>Reason for Failure</b>
Check fuel tanks	Not original manufacturers equipment Leaking or insecure Tank condition, free of corrosion
Check (all visible) fuel system components	Unshielded, Overflowing, Leaking Fuel accumulating in/on any fitting or receptacle
Check exhaust system	Insecure, leaking / “blowing”, corroded Not standard specification
Smoke emission	Failure to meet specified standards per vehicle type

**Vehicle Cleanliness/ Appearance/ Structure**

<b>Inspection</b>	<b>Reason for Failure</b>
Check bodywork security/condition	Bodywork damage Bodywork extensively corroded
Check paint finish	Different colours/shades Not to a uniform finish Surface deficiencies i.e. paint runs, peeling, scratched, beyond that attributable to normal use. Broken paint surface
Check external cleanliness	Dirty/ Dusty exterior
Check vehicle underside	Not free from road dirt Excess grease
Check engine compartment	Dirty, Greasy, Oily Insecure components Defective engine mounting Any leaks
Check passenger compartment is clean and in good condition  Check interior upholstery for security, cleanliness and condition  Ramps and steps for disabled access	Dirty/Dusty Contains any rubbish Upholstery, trim or headlining is dirty, missing, insecure, torn or in such a condition as to soil clothing or adversely affect passenger comfort Incorrectly/unsafely stowed, insecure, not in good condition, unstable

Check front and rear licence plate	Not displayed Delaminated Illegible Different Not secured with approved fixing kit
Check roof mounted "Taxi" sign (doesn't apply to P-H vehicles)	Absent Insecure Fails to illuminate Taxi P.H. stickers correctly positioned Taxi Details & number displayed on vehicle
Check front and rear "Taxi" or PHV plates.	Not displayed Different Not secured with fixing kit Taxi P.H. stickers correctly positioned Taxi Details & number displayed on vehicle
Online check of road tax or equivalent to be undertaken by testing centre on day of test.	Out of date

**Doors, windows and visibility**

<b>Inspection</b>	<b>Reason for Failure</b>
Check operation of door opening mechanisms	Inoperative, defective Door seals damaged/ missing
Check door hinges	Worn, insecure
Check door pillars	Insecure, weakened by damage, corroded
Check windows (including view to front and rear)	Any obstruction that limits the view out of front or rear windows Insecure Not made of safety glass Crack, scratch or surface damage, which impairs the drivers vision to the front and rear Tinted out with legal limits Obscured by signs/stickers



### **Meter Testing**

<b>Inspection</b>	<b>Reason for Failure</b>
Check Taxi meter (where fitted), lights, seal and calibration	Incorrect specification Missing or broken seal Failure to illuminate Fails road test Defective

### **Approved and Non-Approved additional extras**

<b>Inspection</b>	<b>Reason for Failure</b>
Check fire extinguishers	Absent Not easily accessible Not properly secured Discharged or lack of pressure charge Damaged Last maintenance check in excess of 12months
Estate type vehicles only	Dog guard type device fitted



# **EAST DUNBARTONSHIRE COUNCIL**

## **SECTION 21 GUIDANCE NOTE**

**East Dunbartonshire Council**  
**Guidance Note**  
**Section 21 of the Civic Government (Scotland) 1982**  
**What Is Permissible?**

Section 21 of the Civic Government (Scotland) Act 1982 (the “Act”) makes it an offence for taxi and private hire drivers and operators to work in areas that they are not licensed in. The same section of the Act also provides exceptions to this basic rule. The purpose of this guidance note is to set out clearly what the Council, as the licensing authority, considers section 21 allows you to do.

It is important to note that this is not intended to be a definitive statement of the law and that it will have no binding effect upon the Police, the Procurator Fiscal or other local authorities. In following this guidance note however, you will be meeting the expectations of the Council while you are driving or operating your vehicle.

**1. What Can You Do?**

- It is **always** OK to commence a hire and drop off within the area where you are licensed.
- You can commence a hire which drops off outwith the area you are licensed for if you are in your licensed area when
  - you receive the request from your booking office, or
  - you receive the request for hire from a passenger.
- You can commence a hire outwith your licensed area when that hire drops off in the area you are licensed for.
- You can commence a hire when outwith your licensed area
  - **if** you were engaged in a hire at the time the request for hire was received
  - **and** the hire you are engaged in when the request was made began or ends within your licensed area.
- You can commence a hire and drop off outwith your area **if** you were on your way back to your licensed area **immediately** after a drop off outwith your licensed area. “**Immediately**” means you must be returning by the quickest, most direct or most expedient route.

**2. What You Cannot Do**

- Taxis must only pick up hails in public when operating within their licensed area.
- You must never commence a hire and drop off outwith your area if you completed a drop off then waited for any period of time outside your area. You must return immediately to your licensed area.
- You cannot operate outwith your licensed area unless the situations outlined above apply.

Important Point to note:-

- Section 21 does not just apply to drivers. It also applies to operators and to booking offices who permit drivers or operators to work outside their licensed areas.