

## **PRIVATE HIRE VEHICLE LICENCE CONDITIONS AND GUIDANCE NOTES**

### **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 PART II**

#### **PRIVATE HIRE VEHICLE LICENCE CONDITIONS**

##### **1. Maintenance of Vehicles**

The vehicle, fittings and equipment shall at all times be kept in an efficient, safe, clean and tidy condition. The vehicle must comply with all statutory requirements including those contained in Motor Vehicles (Construction and Use) Regulations, holding a valid DVSA MOT certificate with no outstanding manufacturer safety recalls and valid Road Tax

##### **2. Alteration of Vehicle**

No material alteration or change in the specification, design, condition, colour or appearance of the vehicle shall be made without the prior approval of the Council, following the vehicle undergoing the Council's mechanical test or at anytime whilst the vehicle is a licensed private hire vehicle. The vehicle shall at all times comply with the specifications of the Council for a licensed private hire vehicle.

##### **3. Tinting of Vehicle Windows and Window Blinds**

Heavily tinted glazing and window blinds are not permitted for the windscreen and front two passenger seat windows.

Glazing to the windscreen and front passenger windows shall comply with Regulation 32, the Road Vehicle (Construction and Use) Regulations 1986, with a minimum light transmission value of 75% for the windscreen and 70% for the front two passenger windows.

Tinted films or any aftersale tints or reflective treatments applied to any vehicle windows are not permitted.

Factory fitted retractable window blinds are permitted in rear passenger windows

##### **4. Safety Equipment**

Vehicles are not required to carry fire extinguishers. In the event of a fire, drivers are advised to get themselves and passengers out and stay out of the vehicle and call 999, rather than attempting to firefight.

If a fire extinguisher is fixed within a vehicle, it must be compliant with British and European standards (BS EN 3-10:2009), should be **securely affixed** and fully maintained in working order and kept in the vehicle at all times.

##### **5. Interior and Exterior Signs and Plates**

- 5.1 The proprietor of the vehicle shall cause to be affixed and maintained inside the vehicle in such a position and in such a manner as may be prescribed by the Council any sign provided by the Council indicating the licence details for that vehicle. Such details include the licence number of the vehicle, the expiry date of

the licence, the maximum number of passengers which the vehicle is authorised to carry, the vehicle registration number, and the address for complaints.

- 5.2 The proprietor of the vehicle shall cause to be affixed and maintained in a vertical position on the rear and on the outside of the vehicle, the plate provided by the Council in respect of the vehicle so as to be clearly visible from behind the vehicle, and shall keep the plate in a clean and easily legible condition.
- 5.3 The vehicle shall not be used for hire unless the plate and sign, issued by the Council, are exhibited on the vehicle in the manner prescribed in this section, excepting under such circumstances as are described in Section 75 of the Local Government (Miscellaneous Provisions) Act 1976.
- 5.4 The plate and sign referred to in this condition shall remain the property of the Council and shall be returned forthwith to the Council on the surrender of the licence or in the event of the licence expiring, being suspended or revoked.

## **6. Advertising Notices**

- 6.1 A sign prescribed and approved by the Council shall be displayed on each of the front doors of the vehicle which states “ADVANCE BOOKINGS ONLY”, displays the crest of Calderdale Metropolitan Borough Council and includes the licence number for that vehicle which must be affixed to the vehicle either permanently or by means of a magnetic backing plate.
- 6.2 Private Hire Operator details must be displayed which must include the name of the Operator and either telephone number, app or web address. The vehicle is required to display the Private Hire Operator details it is operating under at the time of hire. No more than two different Operator details may be displayed at any one time. These details can be affixed to the vehicle either permanently or by means of a magnetic backing plate
- 6.3 The proprietor shall cause to be affixed and maintained in the vehicle in accordance with the direction of the Council any sign or notice relating to private hire vehicles which the Council may from time to time require.
- 6.4 No other signs or advertisement shall be displayed on the vehicle without prior approval of the Council.

## **7. Roof Racks**

No roof rack shall be affixed to the vehicle at any time.

## **8. Private Hire Vehicle Driver's Licences**

The proprietor shall, before a driver commences to drive the vehicle satisfy himself that the driver has a valid private hire vehicle driver's licence.

## **9. Insurance**

- 9.1 The proprietor shall maintain in force for the duration of the licence an insurance policy for the vehicle providing cover sufficient to satisfy the requirements of Part VI of the Road Traffic Act 1988, private hire use, and public liability of at least £2,000,000. The proprietor shall be required to produce to the Council a valid, original certificate of insurance or cover note in respect of the licensed vehicle when the vehicle licence is being renewed or transferred or when an MOT test is being booked. Failure to produce a valid, original insurance certificate or cover note will result in the application or request for MOT/Compliance Check being rejected.
- 9.2 The proprietor shall ensure that the original or certified copy of the insurance certificate or cover note is kept in the vehicle at all times.
- 9.3 A valid insurance document or cover note shall be produced at any time on demand to an Authorised Officer of the Council. Failure to do this will result in the licence being suspended.

## **10. Change of Address**

The proprietor shall notify the Council, in writing of any change of his address during the period of the licence within 7 days of such change taking place.

## **11. Drivers**

The proprietor of the vehicle shall notify the Council of the name and address of all licensed drivers engaged and employed by him and of any such driver seeking to be so employed within 7 days of the date of appointment or termination as the case may be.

## **12. Transfer of Vehicles**

The proprietor of the vehicle shall notify the Council in writing within fourteen days of the transfer of the vehicle to any other person, specifying the name and address of the person to whom the vehicle has been transferred. The fee to transfer a licensed vehicle from one proprietor to another proprietor will be the same as a new vehicle licence application.

## **13. Overloading**

The proprietor shall not convey or permit to be conveyed in the vehicle a greater number of persons (exclusive of the driver) than the number of persons authorised by the licence to be carried therein.

Except where otherwise necessary in the interest of safety, children under 10 years of age shall not be conveyed in a front seat of the vehicle

## **14. Vehicle Checks**

The proprietor, or the driver, of the vehicle as the case may be, shall, at the request of an Authorised Officer of the Council, stop the vehicle to enable a check to be made for the purpose of preventing or detecting any contravention of any statutory

requirements or of any conditions applicable to the vehicle and its use as a private hire vehicle, whether or not passengers are carried at that time, and shall not proceed until the Authorised Officer is satisfied that all such requirements or conditions are being observed and complied with. This can include a request from the Authorised Officer for the vehicle to be presented for a full Vehicle Compliance Test

## 15. Duration of Licence

The licence shall remain in force for a period of one year unless otherwise suspended or revoked, or unless a lesser period shall appear on the face of the licence.

## 16. Testing of Vehicles

- 16.1 For a vehicle to be licensed by the Council a Certificate of Compliance is required indicating that the vehicle has been tested and complies with the regulations made under Section 43 of the Road Traffic Act 1988 and the standards laid down by the Council.
- 16.2 On completion of an initial Vehicle Compliance Test, a vehicle under the age of three years from registration must pass an annual Private MOT. The vehicle can still be subject to either a roadside spot check by an Authorised Officer or being called in to undergo a full Compliance Test if: either there is a concern from the roadside inspection that needs further investigation; or a public complaint is received by the Authority.
- 16.3 When a vehicle is due for a full Compliance Test or Private MOT is based on the age of the vehicle from first registration. That being:

Age of Vehicle from first registration	
Under 3	Private MOT
3	Compliance Test
4	Private MOT
5	Compliance Test
6 – 11 years	Annual Compliance Test
12 – 14 years	Six monthly Compliance Test (Wheelchair Accessible / ULEV / EV only)

- 16.4 All vehicles must undertake a full Compliance Test, prior to first licensing.
- 16.5 Any vehicle first licensed after its 5th anniversary of the date of first registration will be given a 12 month Certificate of Compliance unless it exceeds 11 years and in this situation a vehicle will only receive compliance until 11 years 6 months from the date of first registration.
- 16.6 All vehicles tested after the 11th anniversary of first registration will receive a 6 month Certificate of Compliance.

- 16.7 If a vehicle shall fail the Council's Vehicle Compliance Test then any private hire vehicle licence in respect of that vehicle shall be suspended and the vehicle withdrawn from service until such time as the vehicle is re-tested by the Council and it has been determined that the vehicle is roadworthy and suitable for use as a private hire vehicle.
- 16.8 Where a vehicle fails a re-test then any private hire vehicle licence in respect of that vehicle shall remain suspended.
- 16.9 The Council's Transport Services Department will provide a technical report upon the vehicle after two failed re-tests in order that a decision can be made by a senior licensing officer as to whether or not the vehicle is fit and proper for licensing by the Council and whether the vehicle licence should be refused or revoked.
- 16.10 In the case of a vehicle which has been used overseas prior to the date of first registration in Great Britain the 6 year period shall be calculated from the date of first registration overseas if known, otherwise from the first day of January following the declared year of manufacture or the date of first registration in the UK, if earlier.
- 16.11 The licensed proprietor of the vehicle shall bear the Council's costs in the testing and where necessary retesting of the vehicle and the preparation of any technical reports.

## **17. Accidents**

In accordance with the provisions of S.50 (3) Local Government (Miscellaneous Provisions) Act 1976 Part II, the proprietor shall report to the Council as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence of any accident.

In addition, the Council must be informed if the vehicle is written-off by the insurance company.

## **18. Radio Equipment**

Any radio equipment and related wiring, within a licensed vehicle must be securely affixed and stored in such a manner that it does not impede on the safety of the vehicles operation.

## **19. Conditions of advertising third party or otherwise on licensed vehicles**

Advertising on private hire vehicles is not permitted without prior consent from the Council.

## **20. Insurance damaged vehicles**

No vehicle which has been classified as an insurance total loss within category A-C or S will be licensed by the Council. The licence for any vehicle that is currently licensed that becomes classified as such will be immediately revoked.

## **21. Transportation of child buggies in wheelchair accessible vehicles with child**

Children's pushchairs/prams may not be transported in the vehicle unless they are folded and stored within the luggage compartment of the vehicle.

## **22. Estate cars**

Estate cars must be fitted with a rear partition between the rear passenger area and the luggage area.

## **23. Age of Vehicle**

Vehicles are subject to an upper age limit of 12 years for all 4-passenger seated internal combustion engine saloon or hatchback vehicles and 14 years for multi seater (5-8 passenger seats), wheelchair accessible vehicles and Ultra Low Emission Vehicles (ULEVs) which includes Plugin Hybrid Electric Vehicles (PHEVs) and Electric Vehicles (EVs), after which they must be removed from the fleet. Mild or self-charging hybrid vehicles will be subject to meeting the emission requirements of a ULEV.

### **PRIVATE HIRE VEHICLE LICENCES (EXECUTIVE TYPE USE ONLY)**

Vehicles will only be licensed as an Executive Use private hire vehicle if:

- It is used solely for to take passengers to and from airports and/or
- It is used for solely executive use i.e. company clients and bookings made under a contract.

There are certain exemptions from some vehicle conditions, if the executive use licence is granted, these are:

- tinted windows
- doors signs
- rear plates

**Please note that you will be required to produce documentation to the Licensing Unit to demonstrate that your vehicle is being used solely for executive use. Failure to demonstrate this type of use will require the vehicle to be licensed as a private hire vehicle and comply with the current private hire vehicle licence conditions.**

Submission of supporting documentary evidence:

- On the seventh day following the date of the initial grant of a private hire vehicle licence, the licence holder shall submit to the Council, copies of private hire operator records which demonstrates the Executive (type) use of the licensed vehicle throughout that period.
- In addition, the licence holder will submit further relevant operator records on the twenty-first day following the aforementioned initial submission, continuing for the three months thereafter. (First set 7 days after grant, second set 21 days later, then on a monthly basis for next three months. Five sets in all)
- From then on, copies of the supportive operator records will be submitted at the time that the licence is renewed.
- The licence holder must submit any additional documents to the Council that may from time to time be required.

Should any of the required records fail to be submitted within the requisite time limit, or if it is found that 'executive type hire' is not clearly demonstrated then the vehicle licence will be immediately suspended and may be subsequently revoked.

## **GUIDANCE NOTES FOR APPLICANTS FOR PRIVATE HIRE VEHICLE LICENCES**

If your vehicle is not currently licensed as a private hire vehicle then the council will only licence the vehicle if it is:

- **NOT white in colour, matching the colour stated in the logbook and not wrapped.**
- **NOT a category A, B, C & S insurance write off - a HPI check can be done on request (fee payable)**
- **Less than 6 years old** (The age is determined from the date of registration shown on the vehicle registration document)
- **Less than 8 years old - Wheelchair Accessible Vehicles / ULEV / EV**
- **Tinted windows**  
Heavily tinted glazing are not permitted for the windscreen and front two passenger seat windows.  
Glazing to the windscreen and front passenger windows shall comply with Regulation 32, the Road Vehicle (Construction and Use) Regulations 1986, with a minimum light transmission value of 75% for the windscreen and 70% for the front two passenger windows.  
Tinted films or any aftersale tints or reflective treatments applied to any vehicle windows are not permitted.
- **Factory fitted window blinds are permitted**

## **GUIDANCE NOTES FOR APPLICANTS FOR HACKNEY CARRIAGE LICENCES**

A vehicle will only be licensed as a hackney carriage if it is:

- **White in colour matching the colour stated in the logbook and not wrapped.**
  - **Not a category A, B, C & S insurance write off**
  - **Less than:**
    - 6 years old – Saloon vehicles – Only when using an existing saloon vehicle number**
    - 8 years old - Wheelchair Accessible Vehicles / ULEV / EV**
- Please note that:***  
*A wheelchair accessible vehicle is one which is either based on a purpose-built "London style" taxi design or a modified vehicle which has been inspected and approved by the Council's Transport Manager for use as a wheelchair accessible vehicle. It must also have an IVA or Stage 2 Certificate.*

(The age is determined from the date of registration shown on the vehicle registration document.)

- **Tinted windows**  
Heavily tinted glazing are not permitted for the windscreen and front two passenger seat windows.  
Glazing to the windscreen and front passenger windows shall comply with Regulation 32, the Road Vehicle (Construction and Use) Regulations 1986, with a minimum light transmission value of 75% for the windscreen and 70% for the front two passenger windows.



Tinted films or any aftersale tints or reflective treatments applied to any vehicle windows are not permitted.

- **Factory fitted window blinds are permitted.**

**PLEASE NOTE THAT WHEN YOUR VEHICLE HAS BEEN LICENSED AS A PRIVATE HIRE VEHICLE IT CAN ONLY BE DRIVEN BY A LICENSED CALDERDALE PRIVATE HIRE DRIVER WITH A CALDERDALE LICENSED OPERATOR**

1. All licence applications must be made online on the Council website together with the appropriate fee(s). Please note vehicle licence and test fees are non-refundable.
2. Appointments for vehicle tests or re-tests must be made by 01422 288001
3. The vehicle registration document must be produced at the time of the application together with the appropriate fee. The V5 (logbook) must be produced prior to being sent to the DVLA and a letter headed bill of sale from the authorised dealer. The new log book must be produced within 6 weeks. Failure to do produce the V5 (logbook) within the six weeks may result in the suspension of your vehicle licence.
4. A valid original certificate of insurance must be produced before any vehicle licence can be issued. The insurance certificate produced must show cover for private hire use and public liability cover of £2,000,000. The original or certified copy of the insurance must be kept in the licensed vehicle at all times and be available to an Authorised Officer upon request.
5. The vehicle will be required to have door signs fitted as prescribed and approved by the council