# APPENDIX C

## Luton Borough Council Penalty Points Scheme

This scheme applies to applicants and licensed drivers, and is separate from the Council's policy on criminal convictions.

| CONTRAVENTION | POINTS |
|---|---|
| Adopting an unpleasant manner towards a passenger | 1 – 3 |
| Verbal abuse towards any person whilst working as a driver | 6 – 12 |
| Physical abuse towards any person | 10 - 12 |
| Rudeness or failure to co-operate with Council officers | 3 - 12 |
| Failing to ensure the safety of a passenger entering, alighting or conveyed in a vehicle | 8 - 12 |
| Failing to provide a customer with reasonable assistance with their luggage | 4 – 6 |
| Refusal to take a guide dog or other assistance dog | 10 - 12 |
| Touting or illegally plying for hire | 8 - 12 |
| Consuming alcohol whilst on duty | 6 – 12 |
| Smoking in a licensed vehicle | 5 - 8 |
| Failing to use taximeter when hired as a hackney carriage | 10 - 12 |
| Failing to agree a fare with passenger before starting journey in hackney carriage where taximeter is not being used | 10 - 12 |
| Charging hackney carriage passenger more than the metered or agreed fare | 10 - 12 |
| Failing to advise private hire passenger of fare at start of journey | 10 - 12 |
| Failure to display fare tariff within a hackney carriage vehicle | 10 - 12 |
| Failure to notify the Council of a change in drivers' name or address within 7 days | 3 – 6 |
| Failure to notify the Council of accident damage to a vehicle within 7 days | 3 – 6 |
| Failure to advise council in writing of previous convictions when applying for licence or of other convictions within twenty-eight days | 3 – 6 |
| Exterior/interior of vehicle not maintained in clean, sound and roadworthy condition | 4 - 12 |
| Failing to ensure the display of a vehicle licence plate for the vehicle in the prescribed manner | 10 - 12 |
| Failing to comply with byelaw 7 relating to the use of hackney carriage stands | 6 - 8 |
| Using a hand-hand held mobile telephone whilst driving | 9 – 12 |
| Failure to wear a seatbelt when required | 3 – 6 |
| Knowingly giving false information to passengers | 3 – 9 |
| Failure to pick up pre-booked passengers | 3 – 6 |
| Failure to wear driver's badge or produce it to an Authorised Officer | 3 – 6 |
| Unspecified behaviour or misconduct | 3 – 6 |
| Use of vehicle without an illuminated roof sign | 10 – 12 |
| Use of vehicle without door signs | 10 – 12 |

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Factors to be taken into account when imposing penalty points include

- previous warnings
- previous track record
- mitigating circumstances
- gravity of the misconduct
- effect of incident on passengers, the public or other drivers
- any health and safety implications to passengers, public or drivers
- the potential for the incident to recur
- whether the licensee can still be considered to be a fit and proper person.

The existence of this policy does not preclude the matter being considered for prosecution or referral to Panel.