

COMMITTEE: REGULATION

DATE: 21ST OCTOBER, 2002

SUBJECT: ADOPTION OF GENERIC CONDITIONS FOR PRIVATE HIRE VEHICLES

REPORT BY: HEAD OF ENVIRONMENT & CONSUMER SERVICES

CONTACT OFFICER: YVONNE BACON **TEL:** 546412

IMPLICATIONS:

LEGAL	<input type="checkbox"/>	COMMUNITY SAFETY	<input type="checkbox"/>
EQUALITIES	<input type="checkbox"/>	ENVIRONMENT	<input type="checkbox"/>
FINANCIAL	<input type="checkbox"/>	OTHER	<input type="checkbox"/>
STAFFING	<input type="checkbox"/>	OTHER	

WARDS AFFECTED: NONE

PURPOSE

1. The purpose of this report is to enable the Regulation Committee to consider the adoption of a set of generic conditions to be applied in the licensing of Private Hire Vehicles.

RECOMMENDATION(S)

2. That the Regulation Committee approves the adoption of generic conditions to be applied to the licensing of Private Hire Vehicles.

BACKGROUND

3. The Council has generic conditions which are applicable to the licensing of Hackney Carriage Vehicles, but its previous generic conditions to be applied to the licensing of Private Hire Vehicles was withdrawn by the Transport Manager on the advice of the Council's Solicitor, as they were deemed flawed.
4. In order to maintain a fleet of Private Hire Vehicles, which are fit and safe for use by members of the public, the Council must determine a set of generic conditions appropriate to the licensing of Private Hire Vehicles.
5. Consultation has been sought by the Council's Transport Manager and it is recommended that the following set of conditions be adopted forthwith as generic conditions for the licensing of Private Hire Vehicles:-
 - 5.1 **Lighting Equipment.** The vehicle lights must work in accordance with the requirements of the MOT Test. Note: Coloured side lights, head lights or number plate bulbs will not be accepted. A complete and suitable bulb kit must be carried.

- 5.2 **Steering and Suspension.** The vehicle's steering and suspension must meet the requirements of the MOT Test. Note: Any steering or suspension component which would constitute an MOT test pass and advice **may** be failed due to the additional stresses and demands placed on a Private Hire Vehicle.
- 5.3 **Brakes.** The vehicle's braking system must meet the requirements of the MOT Test. Note: Any braking component which would constitute an MOT Test and advice **may** be failed because of the additional stresses and demands placed on a Private Hire Vehicle.
- 5.4 **Tyres and Wheels.** All tyres, including the spare, to have a minimum of 3mm depth of tread over the whole tread area. All tyres and wheels, including the spare, to be the same size, type and rating unless the original spare is of the "space saver" type. Only correctly insulated tyres will be accepted. The boot/luggage area is to be clean and free from tools or other loose equipment.
- 5.5 **Seatbelts.** All forward or rear facing seatbelts must have a suitable seatbelt fitted.
- 5.6 **General.** The vehicle is expected to meet the minimum requirements to enable it to pass an MOT Test. In addition it is required to have:-
- 5.6.1 A clean exterior and interior, including the boot.
- 5.6.2 A suitable fire extinguisher and First Aid Kit to be carried.
- 5.6.3 The roof sign is to have correct, complete and legible data in accordance with the Private Hire Vehicle Licence Conditions.
- 5.6.4 The vehicle lighting switch is operated in accordance with the vehicle's head lights, intermediate switch signs will not be accepted.
- 5.6.5 No recording/CCTV shall be fitted without prior approval and consent of the Council.
- 5.6.6 Radio equipment must be securely fixed in the vehicle.
- 5.7 **Body-corrosion-paintwork.** The exterior of the vehicle is to be in a clean and well maintained condition to include the following:-
- 5.7.1 **Rust** - any vehicle presented should be free from any significant areas of suitable rusting. Although minor blemishes should not constitute a failure, the following general criteria should be followed:-
- Any vehicle with a visible rust patch of more than 20cm² will be failed.
- 5.7.2 **Dents** - any vehicle with a dent of more than 5cm in length or diameter on a clearly visible panel will be failed.

- 5.7.3 **Scratches** - any vehicle with scratches down to bare metal or primer on three or more panels of 5cm in length or a single scratch of more than 20cm in length will be failed.
- 5.7.4 **Paintwork** - all panels on all vehicles shall be painted in the manufacturer's colour without significant runs or blemishes. Panels with unmatched colours or primer will be failed.
- 5.8 **Accident damaged vehicles.** Vehicles which have sustained major accident damage will not be accepted for plating until a satisfactory steering geometry and alignment report is produced. This will be in the form of a written or printed report from an approved VBRA vehicle repairer.
- 5.9 **Windows.** All windows that are designed to open and close must operate correctly. No dark tinted windows will be accepted, only likely tinted manufactured safety glass. After market kits will not be acceptable.
- 5.10 **LPG.** A vehicle powered by LPG, which does not have provision for a spare tyre, must carry a suitable "space saver" type wheel properly secured or have proof that the four other tyres have been treated with a puncture proofing substance. Written confirmation of such puncture proofing is to be produced at the Licensing Unit when applying for a Licence.
- 5.11 **Cleaning from a chemical inspection.** Under bonnet or under body areas that may be subject to oil or road dirt contamination must be steam cleaned before presenting the vehicle for testing. Significant oil leaks or unreasonable amounts of contamination will result in that vehicle failing its test.
- 5.12 **Luggage.** Luggage must be physically separated from the passenger compartment by means of a sliding cover or door guard type of barrier. High back seats *may* be suitable on some vehicle types.
- 5.13 **Mirrors.** Mirrors must be fitted to the offside, nearside and interior rear view. These will be to the original manufacturer's specification and must be secure, complete and offer a correct, unimpaired view to the driver.
- 5.14 **Seats.** Seats must be correctly secured and properly cushioned and covered. All seats including the driver's must be matching, free from cuts, tears or cigarette burns except of a very minor nature. Any repairs must have been carried out in a professional and neat manner. Loose, dirty, damaged or badly fitted seat covers will not be accepted. All seats must be properly fixed to the vehicle and be forward or, in the case of the first row behind the driver, rear facing. Side facing seats are not acceptable. A minimum cushion width of 16in per seat is required, this includes any armrests or other objects that may affect said dimensions. Minibus type vehicles or conversions must meet the prescribed vehicle inspectorate seatbelt installation minimum standard.
- 5.15 **Emergency exits.** Vehicles of the MPV or minibus type must have more than one exit from the rear passenger compartment. These exits must be clearly marked with "EMERGENCY EXIT" and the opening instruction e.g. "PULL TO OPEN". All exits must open from both the inside and outside of the vehicle and be free from obstruction. Note: Vehicles currently

licensed, which cannot or do not comply, must carry a glass smash hammer, fixed visible to the passengers.

- 5.16 **Access to the passenger compartment.** At every access door into the passenger compartment the step area must have an automatic illumination when the door is opened, a minimum depth of 6in with a slip resistant surface and be capable of supporting the weight of an adult. Hand rails should be fitted where appropriate.
- 5.17 **Floors and passageways.** All floors and passageways between seats shall be free of steps and tripping hazards and have a slip resistant surface. Floor coverings must be properly secured and in good condition.
- 5.18 **Interior lighting.** The passenger compartment shall have sufficient interior lighting to illuminate the whole of that area. These lights shall be switchable from the driving or passenger compartments.
- 5.19 **Vehicle configurations.** Two door saloon vehicles, convertibles or left hand drive vehicles will not be accepted for licensing.
- 5.20 **Advertising.** No advertising may be carried or displayed with the exception of a company name or logo on the front door doors (outer panels) and the front (yellow) side of the roof sign.
- 5.21 **Temporary suspension of plate.** If any vehicle fails either the annual or six monthly inspections, on any item that renders the vehicle dangerous to drive, the plates will be removed and a notice of suspension issued by the testing station until the defect(s) has been rectified. In the case of a vehicle being classified "exceptional condition" if that vehicle fails its test for annual renewal of plate on any item other than those listed as "classed as minor" and that vehicle will be de-plated and taken off the road. This does not apply to the six monthly inspections where only a temporary suspension is the rule. Vehicles that are not tested within five working days of the original six monthly test date will have their Licence suspended. The items that have been classified as minor are printed on the back of the test appointment letter.
- 5.22 **Refusal to test.** The testing station or any tester may refuse to test any vehicle that in their opinion is unsafe or dangerous. Vehicles classified as exceptional condition whose Licence has been allowed to expire will not be re-licensed as a Private Hire Vehicle.
- 5.23 **Deferred notice of suspension.** If during a test defects are found, e.g. bodywork condition, which are not of a serious nature but require rectification a deferred notice of suspension may be issued with the date of reinspection given. The vehicle will only be reinspected on the item(s) listed.
- 5.24 **Dual plating.** Vehicles that are currently licensed by another local authority will not be accepted for licensing in Luton. Vehicles found to be licensed by another local authority at the time of the vehicle test will be failed.

PROPOSAL/OPTIONS

- 6. That the Regulation Committee adopt the proposed generic conditions outlined above in respect of the licensing of Private Hire Vehicles with immediate effect.

LIST OF BACKGROUND PAPERS

LOCAL GOVERNMENT ACT 1972, SECTION 100D

There are no background papers relating to this report.