

LEGAL AND REGULATORY SUPPORT

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

SCHEDULE OF CONDITIONS - TAXI

Condition of Taxi

- 1 The holder of a Taxi Licence shall ensure that the taxi, including all bodywork, upholstery and fittings is in a good safe and serviceable condition, (that the bodywork is of a uniform colour scheme (except where in the manufacturer's specification i.e. coachlines etc) and that subject to prevailing road conditions in a clean condition.

MOT and Inspection

- 2 During the currency of the licence, the licence holder shall on expiry of current documents to produce to the Licensing Authority (a) a current MOT Certificate (for vehicles over 3 years old) excluding vehicles on the Islands of Tiree, Coll, Colonsay and Lismore and (b) a current Certificate of Motor Insurance within 48 hours of the expiry of the previous Certificates. It is the responsibility of the licensee to ensure these documents are passed to the Licensing Authority. Failure to comply may lead to the licence being suspended. In addition the licence holder shall require the taxi to undergo and pass an annual inspection as instructed by the Licensing Authority. On such other occasions as may be required by the Licensing Authority and on such reasonable notice from the Licensing Authority, they shall produce their taxi for inspection at such time and place as may be reasonably required. On request, they shall produce to the Licensing Authority evidence that the taxi has passed the inspection.

Insurance

- 3 The licence holder shall hold in their own name that requisite Vehicle Registration Document, the Certificate of Insurance in relation to the taxi required by Part VI of the Road Traffic Act, 1972 and a certificate confirming the vehicle has passed inspection as issued by the testing station. Where more than one name appears on the Taxi Licence the Vehicle Registration Document, the Certificate of Insurance and inspection certificate shall be in the name of at least one of those names.

Damage and Repairs

- 4 The licence holder, when the taxi is damaged in a vehicular accident or by any other means, shall report the damage to the Licensing Authority within 2 working days. As soon as the repairs to the taxi have been completed, the licence holder shall submit to the Licensing Authority an inspection certificate, or equivalent, for the vehicle dated after completion of the repairs. Until an appropriate certificate has been submitted to the Licensing Authority the vehicle shall not be used as a taxi. If a decision has been taken that the damage is of a more serious nature, the licensing authority may wish to inspect the vehicle before permitting it to be used again as a Taxi.
5. Should the circumstances arise that a licensed taxi is damaged in a road accident and cannot be used for a temporary period, the licensing authority may consider an application for a temporary substitution of vehicle. It is recognised that the temporary vehicle may be provided by an insurance company and may therefore be part of a lease arrangement. In

these circumstances the requirement to produce a vehicle registration document and/or bill of sale, may be replaced by production of the original lease agreement.

Taxi Drivers

6. The holder of a Taxi Licence shall not ask a driver of a taxi to do anything which would result in the driver committing a breach of conditions attached to the grant of the driver's licence.
7. The holder of a Taxi Licence shall keep an up-to-date list of the names and addresses of all taxi driver's employed by him and shall supply the Licensing Authority with a list thereof on demand.
8. The holder of a Taxi Licence shall not employ anyone to drive their vehicle who does not hold a current Taxi Driver's Licence.

Duties to Passengers

9. The licence holder shall be bound to fulfil, or cause to be fulfilled, at the time and location specified, an engagement to hire their taxi which they have accepted, unless prevented by sufficient cause.

Taxi Plate and Displays

10. On being granted a Licence for the first time, an applicant shall be furnished with a taxi plate by the Head of Legal and Regulatory Support. In the event of the plate being damaged or lost while in their possession or if a new plate is required in respect of the substitution of a vehicle, a replacement plate may be issued on payment of the requisite fee.
11. The holder of a Taxi Licence shall ensure that while the vehicle is in use as a taxi, a taxi plate issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi, is displayed at all times in a prominent position inside the rear window of the vehicle.
12. The holder of a Taxi Licence shall not obliterate or deface the plate which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi which is fitted to the taxi. If any such plate becomes obliterated or defaced so as not to be distinctly visible or legible or if any such plate is lost, the holder of the Taxi Licence shall report this to the Licensing Authority as soon as practicable in order to obtain from the Licensing Authority a replacement plate on payment of the appropriate fee.
13. The licence holder (a) shall display on the roof of his taxi a sign showing the word **"TAXI"** in letters not less than 3 inches in height, for the purpose of identifying the vehicle as a taxi or alternatively the name of the taxi firm (b) may have the name and address and the telephone number of the licence holder or the company name shown on the outside of the taxi and (c) shall display inside the taxi, in a conspicuous position and of a size which will allow it to be read easily by all passengers, the Taxi Licence number and the name and address of the licence holder.
14. The licence holder shall not display on their vehicle any signs for the purpose of advertising its services as a taxi or any notice or advertisement other than those referred to in conditions 11 and 13 but the Licensing Authority will consider applications for variation of this condition. Any application requires to be made to the Licensing Authority in the form prescribed. Where a variation of this condition is approved the advertisement must not obliterate names, numbers etc referred to in condition 11 above.

Charges

15. The licence holder shall obtain from the Licensing Authority a notice detailing the table of approved fares and charges and will display the notice in the passenger compartment of the taxi in such a position that it will be readily visible to the passengers being carried, and no other table of fares and charges shall be displayed.
16. The licence holder shall, unless the cost of the journey is regulated by a Licensing Authority fare structure, take steps to ensure that any potential hirer of his taxi is informed prior to acceptance of the hire, (a) that the fare is not so regulated; and (b) the cost or method of calculating the cost, of the proposed journey.

Taxi Meter

17. The licence holder shall have affixed to, and used on, the taxi a sealed taximeter set to show the maximum fare permitted in terms of the scale of fares and charges fixed by the Licensing Authority. The licence holder shall satisfy himself that the taximeter is giving a correct reading at all times.
18. The holder of a Taxi Licence shall not use, or cause or permit to be used on a taxi a road wheel or type of a different circumference from that which the taximeter affixed to the taxi was designed and geared.
19. Once a taximeter is fitted to their taxi the licence holder shall not tamper with the taximeter or break or tamper with any seal or stamp on such taximeter or any attachment affixed thereto by the manufacturer or licensing authority except to remove the taximeter for repair or replacement. Should the seal be broken the taximeter shall be re-tested before being used again.
20. The licence holder shall ensure that the taximeter fitted to their taxi is in such a position as to make the reading readily visible to the hirer.
21. The licence holder shall not knowingly use, or cause, or permit to be used, the taxi during any period that the seals affixed to the taxi meter and, were so affixed to the vehicle, are broken or detached.
22. The licence holder shall not knowingly use, or cause to permit to be used, a taxi meter which is in any way defective.

First Aid

23. The holder of a Taxi Licence must carry a first aid kit and also in a suitable fastener in their taxi, a fire extinguisher of an appropriate type in a readily accessible position.

Substitute Vehicle

24. The holder of a Taxi Licence shall not substitute a vehicle in respect of which the Taxi Licence is held for another vehicle without first making a formal application to the Licensing Authority and obtaining the written consent of the Licensing Authority. Before consenting to a substitution in terms of this condition, the Licensing Authority shall require that vehicle, to be substituted for the existing vehicle, undergo and pass an inspection by or on their behalf.

Change of Circumstances

25. The holder of a Taxi Licence shall report all changes of circumstances relating to the

licence to the Licensing Authority, in writing, as soon as practicable. This includes without prejudice to the foregoing generality dissolution of partnerships, change of address etc. Any licensee in doubt as to what constitutes a change of circumstances should contact the office of Head of Legal and Regulatory Support, Kilmory, Lochgilphead, PA31 8RT for guidance.

Approved Vehicles

26. Only those vehicles approved by the Licensing Authority shall be permitted for use as taxis by the Licensing Authority. These are:-
- (a) Fx4, Metrocab or similar vehicles purpose built for use as taxis.
 - (b) 4 door Saloon, 5 door hatchback or estate cars of a size acceptable to the Council. Without prejudice to the foregoing generality any such vehicle shall have a rear seat of at least 51 inches in width.
 - (c) "People Carriers" or multi purpose vehicles (MPV's) which are, after inspection considered suitable for their intended purpose.
 - (d) Such other vehicle(s) as may be approved by the Licensing Authority from time to time.

Where a hatchback or estate car is used, the rear parcel shelf shall be kept in place or satisfactorily secured device shall be fitted to prevent luggage travelling from the luggage compartment into the passenger compartment in the event of a sudden stop or accident.

27. On being granted a Licence for the first time, an applicant shall be furnished with a taxi plate by the Head of Legal and Regulatory Support. In the event of the plate being damaged or lost while in his possession or if a new plate is required in respect of the substitution of a vehicle, a replacement plate may be issued on payment of the requisite fee.

Guide Dogs

28. No charge may be made for carrying guide dogs, hearing dogs or other assistance dogs in respect of disabled persons. Only drivers holding a Medical Exemption Certificate from the Licensing Authority may refuse to carry such dogs.

Mobile Phone Use

29. The driver of a taxi car shall not use a mobile phone in contravention of the legislation in relation to use of mobile phones.