



## THE HIGHLAND COUNCIL

### CARRIAGE OF GUIDE, HEARING AND OTHER ASSISTANCE DOGS

#### ADVICE FOR TAXI AND PRIVATE HIRE CAR DRIVERS

The Taxi Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2002 and the Private Hire Vehicle (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2004, require licensed taxi drivers and private hire car drivers to carry guide, hearing and other assistance dogs accompanying disabled people in their vehicle, and to do so at no extra charge. The dog must also be allowed to remain with the passenger.

A condition to this effect is attached to all taxi and private hire car driver licences which the Council issues. However, applicants for, or holders of, taxi or private hire car driver's licences who have a medical condition that would be aggravated by carrying dogs in their vehicle can apply for exemption from this licence condition. Drivers who are granted exemption from the requirement to carry guide, hearing or assistance dogs in their vehicle will be issued with a notice of exemption to display in the taxi or private hire car that they are driving.

#### TYPES OF DOGS COVERED

A guide dog trained to guide a blind person. Such dogs normally wear a harness.

A hearing dog trained to assist a deaf person. Such dogs normally wear a jacket with the name of the charity.

Any other assistance dog trained by a charity to assist a disabled person with a physical impairment, such as epilepsy, or which otherwise impairs a person's ability to carry out routine daily tasks – the dog must be wearing a jacket inscribed with the name of the charity.

In the event that a taxi or private hire car driver has any doubt over entitlement, the owners of these dogs should be able to produce an identity card showing the name of the relevant charity that trained the dog. **It is important to remember that all of these dogs are highly trained and will remain on the floor of your vehicle. They are very unlikely to damage or dirty it.**

#### FAILURE TO COMPLY WITH THE DUTY

By failing to comply with a condition of licence, a taxi or private hire car driver will (unless exempt from the requirement) be guilty of an offence under Section 7(2) of the Civic Government (Scotland) Act 1982 and will be liable on conviction of a fine up to £1,000. It would also be open to the Council to consider suspending the licence.

## **EXEMPTIONS FROM THE REQUIREMENT TO CARRY DOGS**

Exemption from these duties can be sought on medical grounds only. It is anticipated that the number of drivers whose medical condition is so serious that they cannot carry dogs in their vehicle will be extremely small.

If you have a medical condition, such as severe asthma, which is aggravated by contact with dogs, or if you are allergic to, or have a chronic phobia of, dogs it may be possible for you to qualify for an exemption. Application for an exemption should be made to your local Council Office. **An application form for this purpose can be downloaded at [https://www.highland.gov.uk/downloads/file/3512/taxi exemption from guide dogs application](https://www.highland.gov.uk/downloads/file/3512/taxi-exemption-from-guide-dogs-application)**

When considering your application for an exemption, the Council will require details of your medical condition and may require you to undergo a medical examination and/or give permission to contact your GP. If your application for exemption is successful you will be issued with a notice of exemption which will specify the vehicle or types of vehicle to which the exemption applies. You must display the notice of exemption by fixing it in a prominent position on the dashboard facing upwards or on the windscreen of the vehicle facing outwards. The exemption notice must only be displayed when the person named on the notice is driving the vehicle.

## **APPEALS AGAINST REFUSAL TO GRANT EXEMPTION**

In the event that the Council turns down your application for an exemption, you can obtain reasons for the Council's refusal and appeal to a sheriff against the decision if you consider it appropriate to do so.