

THE HIGHLAND COUNCIL

TAXI OPERATOR'S LICENCE CONDITIONS

1. The holder of a taxi operator's licence shall ensure that the taxi, including all body work, upholstery, and fittings, is maintained in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean condition and of smart appearance.
2. The holder of a taxi operator's licence shall require the taxi to undergo and pass any such inspection as required by the Highland Council as Licensing Authority. On receiving the requisite notice, in writing, from the Council, he shall produce his taxi for examination at such time and place as may be reasonably required by the Council.
- 3.(a) The holder of a taxi operator's licence, when the taxi is damaged in a vehicular accident or by any other means, shall report the damage to the Council as soon as practicable and, if the taxi is roadworthy, he shall present it for examination within the following 2 working days (being days on which the testing facilities are available) after the occurrence. As soon as repairs to the taxi have been completed, the taxi shall be re-examined.

(b) The licence holder shall be liable to meet the fee fixed by the Council for such inspection.
4. The holder of a taxi operator's licence shall not ask or require a driver of a taxi to do anything which would result in the driver committing a breach of the conditions attached to the grant of the driver's licence.
5. The holder of a taxi operator's licence shall keep an up-to-date list of the names and addresses of all taxi drivers employed by him and shall produce such list on demand to any authorised officer of the Council or to any Police Officer. The licensed operator or other person responsible for the management of the operation of the taxi, shall keep, for a period of 1 year from the date of last entry, an up to date schedule of times when each driver is driving the vehicle.
6. The holder of a taxi operator's licence shall be bound to fulfil or cause to be fulfilled, at the time and location specified, an engagement to hire his taxi which he has accepted, unless prevented by sufficient cause.
- 7.(a) The holder of a taxi operator's licence shall hold the vehicle registration document and the certificate of insurance in relation to the taxi required by the Road Traffic Act 1988. Where more than one name appears on the taxi licence the vehicle registration document and the certificate of insurance shall be in the name of at least one of the persons whose names appear on the licence.

- (b) The holder of the taxi operator's licence shall ensure that the Certificate of Insurance (or copy), in the operator's name, applicable to the Taxi is carried in the vehicle at all times, together with the vehicle registration document and MOT Certificate, where applicable (or copies thereof).
 - (c) The holder of a taxi operators licence shall exhibit such documents and certificates to an authorised officer of the Council or a Constable when requested to do so.
8. The holder of a taxi operator's licence shall ensure that, while the vehicle is in use as a taxi, any external or internal plate and any other thing which has been issued by the Council for the purpose of indicating that the vehicle is a taxi, are displayed at all times in positions approved by the Council.
 9. The holder of a taxi operator's licence shall not obliterate or deface any plate, or other thing which has been issued by the Council for the purpose of indicating that the vehicle is a taxi and which is fixed to the taxi. If any such plate or other thing becomes obliterated or defaced so as not to be distinctly visible or legible or if any such plate, or other thing is lost, the holder of the taxi operator's licence shall report this to the Council as soon as practicable in order to obtain from the Council a replacement plate or other thing upon payment of the prescribed fee.
 10. The holder of a taxi operator's licence shall obtain from the Council a notice (or notices) detailing the approved taxi fares and charges, appropriate to exclusive or to shared hire of the taxi, and shall display the notice (or notices as appropriate) in the passenger compartment of the taxi in such a position that it (or they) will be visible to the passengers being carried and, subject to condition 15 below, no other table of fares and charges shall be displayed.
 11. The holder of a taxi operator's licence shall, unless the cost of the journey is regulated by a Council fare structure and, if the taxi is not being used as a taxi bus, 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) of the cost, or the method of calculating the cost, of the proposed journey.
 12. The holder of a taxi operator's licence shall not display on his taxi any signs for the purpose of advertising its services as a taxi, other than those approved by the Council. The holder of a taxi operator's licence shall be permitted to display commercial advertising on or in the vehicle only with the written permission and approval of the Council.
 - 13(a) The holder of a taxi operator's licence shall display upon the roof of his taxi a sign of a type approved by the Council for the purpose of identifying the vehicle as a taxi and while the taxi is available for shared hire he shall display in such position as approved by the Council a sign of a type approved by the Council for the purpose of indicating that the taxi is available for shared hire;

- (b) The holder of a taxi operator's licence shall, at any time when the taxi is being used as a taxi-bus, cause to be displayed on the taxi, in such position and in such form as may be prescribed by the Council, a sign which indicates the taxi is being used as a taxi-bus.
14. The holder of a taxi operator's licence shall:
- (a) not use, or cause or permit to be used, on the taxi a road wheel, or tyre of a different circumference from that for which the taximeter affixed to the taxi was designed, geared and has been tested by, or on behalf of, the Council;
 - (b) have affixed to and used on the taxi a meter which has been tested and approved by, or on behalf of, the Council;
 - (c) only use a taximeter which has been stamped or sealed by, or on behalf of, the Council after testing and approval as to distance and time in accordance with the approved taxi fares and charges;
 - (d) once a taximeter is fitted to his taxi, 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 Council except to remove the taximeter for repair or replacement. Should the seal be broken the taximeter shall be re-tested and passed by, or on behalf of, the Council before being used again;
 - (e) ensure that the taximeter fitted to his taxi is in a position approved by the Council and illuminated to display the amount of fare recorded to the passenger(s);
 - (f) not knowingly use, or cause or permit to be used, other than as a taxi-bus, the taxi during any period that the seals affixed to the taximeter, where so affixed to the vehicle, are broken or detached;
 - (g) not knowingly use, or cause or permit to be used, a taximeter which is in any way defective.
15. The holder of a taxi operator's licence shall, at any time when the taxi is being used as a taxi-bus, cause to be displayed in the taxi, in such a position and in such a form as may be prescribed by the Council so that it is clearly legible to passengers, a fare table containing sufficient information to enable a passenger to ascertain the fare for his journey or the manner in which that fare is calculated.
16. The holder of a taxi operator's licence must carry in a suitable fastener in his taxi, a fire extinguisher of a type, which contains at least a 1Kg dry powder charge and otherwise which meets the current standard and in a position approved by the Council. The extinguisher shall be maintained in a satisfactory working condition at all times.

17. Unless required for a substitute vehicle, the holder of a taxi operator's licence shall within 28 days of his selling or otherwise disposing of the vehicle to which the licence relates, deliver to the Council his licence and any plate or other thing issued by the Council for the purposes of indicating that the vehicle is a taxi.
18. The holder of a taxi operator's Licence shall notify the Licensing Authority by letter to the Legal Manager in his Area within 7 working days of any fixed penalty, conditional offer or conviction in any court relating to him.
19. The taxi must be equipped with a first aid kit in compliance with current Health and Safety standards.
20. The holder of a taxi operator's licence shall ensure that sufficient internal lighting is provided within his vehicle when not in motion.
21. The holder of a taxi licence who changes his address or place of business shall within 14 days thereafter give notice thereof to the Council and shall produce his licence to the Council who shall endorse thereon the particulars of such change of address or place of business.

In these conditions:

"exclusive", as applied to the hire of a taxi, means that a single fare is payable by any one passenger for the whole hire of the taxi, whether or not more than one passenger is carried; and "exclusive hire" shall be construed accordingly;

"shared" as applied to the hire of a taxi, means that each passenger is carried at a separate fare, payable to the driver; and shared hire shall be construed accordingly.

"Taxi-bus" means a taxi which is being used, under a special licence granted under Section 12 of the Transport Act 1985, to provide a local service which is or requires to be registered under Part I of that Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers.

NOTE

It is a criminal offence in terms of section 7(2) of the Civic Government (Scotland) Act 1982 to fail to comply with any condition imposed on this licence.