

BOROUGH OF DARLINGTON

HACKNEY CARRIAGES BYELAWS

These Byelaws are made under Section 68 of the 1847 Town Police Clauses Act and Section 171 of the Public Health Act, 1875 by the Council of the Borough of Darlington with respect to Hackney Carriages in the Borough of Darlington

1. Throughout these Byelaws 'the Council' means the Council of the Borough of Darlington and 'the District' means the Borough of Darlington.
2. Identification Plate
 - (a) The proprietor of a Hackney Carriage shall cause the plate provided by the Council specifying the number of the licence granted to him and the permitted number of passengers in respect of that Hackney Carriage to be securely affixed to the outside of the carriage.
 - (b) The plate identifying the vehicle as a Hackney Carriage and required to be exhibited on the vehicle pursuant to Section 51 of the 1847 Town Police Clauses Act shall be securely fixed to the rear of the vehicle in a conspicuous position, so that all particulars thereon are clearly visible by daylight from the nearside of the road, and in such manner as to be easily removable by an authorised Officer of the Council or a Constable.
 - (c) The proprietor or the driver of a Hackney Carriage shall :-
 - (i) Not wilfully or negligently cause or suffer any such number to be concealed from view whilst the Hackney Carriage is standing or plying for hire.
 - (ii) Not cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

3. Maintenance of Vehicle

The Proprietor of a Hackney Carriage shall :-

- (a) Ensure that the Hackney Carriage and all its fittings and equipment shall at all times when the vehicle is available for hire or hired be kept in an efficient, safe, tidy and clean condition and in particular :-
 - (i) Provide sufficient means by which any person in the carriage may communicate with the driver.
 - (ii) Cause the roof or covering to be kept water-tight.
 - (iii) Provide any necessary windows and a means of opening and closing not less than one window on each side.
 - (iv) Cause the seats to be properly cushioned or covered.

- (v) Cause the floor to be provided with a proper carpet, mat or other suitable covering.
 - (vi) Provide means for securing luggage if the carriage is so constructed as to carry luggage.
 - (vii) Provide an efficient fire extinguisher which will be carried in such a position as to be readily available for use.
 - (viii) Provide efficient interior lighting.
 - (ix) Provide at least two doors for the use of persons conveyed in such carriage and a separate means of entry and exit for the driver.
 - (x) Provide and maintain in the Hackney Carriage at all times a first aid kit in such position so as to be readily visible and available for immediate use in an emergency.
 - (xi) Cause a statement of the fares currently fixed by the Council to be displayed and maintained in such a position inside the Hackney Carriage so as to be clearly visible for passengers.
- (b) Make no material alteration to the specification, design, condition or appearance of the Hackney Carriage without the prior approval of the Council.

4. Drivers Licence

The proprietor of a Hackney Carriage shall ensure that at all times that the driver of a vehicle licensed as a Hackney Carriage whether or not it is plying for hire at any particular moment holds a current driver's licence issued by the Council.

5. (a) Notification

The proprietor or driver of the Hackney Carriage shall notify the Council without delay of any of the following incidents which concern the proprietor or driver whilst they hold a current licence issued by the Council :-

- (i) Change of address
- (ii) Criminal conviction
- (iii) Road traffic accident involving any motor car whether or not it is a Hackney Carriage.

- (b) The proprietor or the driver shall ensure that at all times when the Hackney Carriage is available for hire or hired it is insured for public hire use.

6. Taximeter

- (a) The proprietor of a motor-propelled Hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the requirements of the Council and the taximeter shall be situated inside the carriage in such a position that all letters and figures on the face thereof may at all times be plainly visible to any persons being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated.

- (b) The driver of a Hackney Carriage provided with a taximeter in accordance with Byelaw 6(a) shall as soon as the carriage is hired bring the machinery of the taximeter into action and thereby record on the face of the taximeter in figures clearly legible and free from ambiguity, a fare stating the rate of fare which the driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the rate of fare prescribed for the time being by the Council under Section 66 of the Local Government (Miscellaneous Provisions) Act, 1976.
- (c) On the coming into operation of a table of fares made by this Council the fare which the driver is entitled to demand and take for the hire of the carriage by distance shall be the rate of fare prescribed by the Council, (Provided nevertheless that a proprietor shall not offend against this Byelaw where the table of fares is varied by the Council and he has not had a reasonable opportunity to cause the taximeter to be altered to record the rate of fares in accordance with the table of fares as varied).
- (d) A proprietor or driver of a Hackney Carriage shall not tamper or permit any other person to tamper with any taximeter with which the carriage is provided, or with the fittings thereof or with the seals affixed thereto.

7. External Signs

- (a) Every proprietor of a Hackney Carriage shall cause the carriage to be fitted with a roof sign bearing the word "TAXI" and such other lettering or numbering as may be approved by the Council.
- (b) No other lettering, numbering, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provisions or required or permitted by the Council, provided, however, that this shall not apply to a sign which :-
 - (i) is displayed in, on or from the vehicle whilst it is stationary; and
 - (ii) contains no words or numbers other than the name and address of the operator of the vehicle or the name under which he carries on his business and the name of the passenger or passengers to be carried in the vehicle; and
 - (iii) displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.

8. Taxi Stands

The driver of a Hackney Carriage for which stands are fixed by the Council shall, when plying for hire in any street :-

- (a) Proceed with reasonable speed to one of such stands.
- (b) If a stand at the time of arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand.
- (c) On arriving at the stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or

carriages on the stand so as to face in the direction designated by Byelaw for that stand.

(d) From time to time when the carriage in front is driven off or moved forward, cause his carriage to be moved forward so as to fill the place previously occupied by the carriage in front.

(e) Not leave a Hackney Carriage unattended on a rank.

9. A proprietor or driver of a Hackney Carriage which is available for him shall not, by calling out or otherwise, importune any person to hire such carriage, and shall not make use of the services of any other person for this purpose.

10. Behaviour

The driver of a Hackney Carriage shall :-

(a) At all times be clean and respectable in his dress and person and behaviour in a civil and orderly manner.

(b) Take all reasonable precautions to ensure the safety of persons conveyed in, or entering, or alighting from the carriage.

(c) Accord all reasonable assistance with passengers luggage.

(d) Not without the express consent of the hirer, smoke, drink or eat in the vehicle.

(e) Afford all reasonable assistance to elderly, infirm or disabled passengers.

(f) Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operations of the vehicle.

(g) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is operating to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

11. Receipt

The driver shall if requested by the hirer provide him with a written receipt of the fare paid.

12. Animals

(a) The driver shall not convey in a Hackney Carriage any animal belonging to or in the custody of himself or the proprietor of the vehicle.

(b) Any animal belonging to or in the custody of any passenger which in the driver's discretion, may be conveyed in the vehicle, shall only be conveyed in the rear of the vehicle, provided nevertheless that the driver of a Hackney Carriage shall not refuse to convey a guide dog accompanying a registered blind person nor shall such animal be

restricted to the rear of the vehicle.

13. Attendance

The proprietor of a Hackney Carriage, whether by himself, his driver, agent or employee who has agreed that the carriage attend at an appointed time and place shall, unless delayed or prevented by some sufficient cause, ensure that the carriage attends punctually at the appointed time and place.

14. Passengers

A proprietor or driver of a Hackney Carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the carriage, save that for the purpose of this Byelaw :-

- (a) Two children aged 10 years or less shall count as one person, although this calculation is not to be applied so as to permit more than four children aged 10 years or less to travel in the rear at the same time.
- (b) No child aged 10 years or less is permitted to travel in the front seat of a Hackney Carriage unless an infant of two years or less is conveyed in a child safety cot approved for this purpose by the British Standards Institute (or such body which succeeds to and carries out the functions of the aforesaid Institute) securely affixed to the front passenger seat.

15. Horse Drawn Vehicles

The proprietor or driver of a horse-drawn Hackney Carriage shall :-

- (a) Whilst standing or plying for hire, not drive or allow to be driven or harnessed or allowed to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage or any person traversing any street, to risk of injury.
- (f) Shall while standing or plying for hire, cause every part of the harness of the animal or animals shall be properly and securely attached to the carriage and under due control.
- (g) Shall not in any street feed or allow to be fed any animal harnessed or otherwise attached to such carriage, except with food contained in the proper bag or other receptacle suspended from the head of such animal or from the centre pole of the carriage or which is held in and delivered with the hand of the person feeding such horses.

16. Driver's Badge

The driver shall at all times when driving a Hackney Carriage available for hire or hired wear the driver's badge provided by the Council on the breast of the outer clothing and in such position and manner as to be plainly and distinctly visible.

17. Penalties

Every person who shall offend against any of these Byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale and in case of a continuing offence a further penalty not exceeding £2 for each day after written notice of the offence from the Council.

18. Interpretation

- (1) The Interpretation Act 1978 shall apply to these Byelaws as though they were an Act of Parliament.
- (2) Proprietor, Hackney Carriage, taximeter, driver's badge, driver's licence, vehicle licence, have the same meaning as defined in Section 80(1) of the Local Government (Miscellaneous Provisions) Act, 1976.

19.

All previous Byelaws relating to Hackney Carriages which were made by the Council of the Borough of Darlington and confirmed by one of Her Majesty's Principal Secretaries of State are hereby repealed.

GIVEN under the Common Seal of the Council of the Borough of Darlington this Twentieth day of October, One thousand nine hundred and eighty nine.

THE COMMON SEAL of
The COUNCIL was hereunto
Affixed in the presence of :-

Barrie Lamb
Mayor

H.R.C. Owen
Chief Executive

The foregoing Byelaws are hereby confirmed by the Secretary of State for Transport and shall come into operation on the 1st day of March 1990.

Mr. M. Lambirth

An Assistant Secretary
In the Department of Transport
On behalf of the Secretary of

State for Transport

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