



Llywodraeth Cymru
Welsh Government

PUBLICATION

Private hire vehicle drivers: licensing conditions

These conditions apply to drivers of private hire vehicles.

First published: 22 March 2021

Last updated: 22 March 2021

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/private-hire-vehicle-drivers-licensing-conditions-html> for the latest version.

Get [information on copyright](#).

Contents

Introduction

1. General

2. Driver Badge

3. Police Check & Notification of Convictions

4. Disclosure and Barring Service Online Update Service

5. Medical

6. Appearance of Driver

7. Fares

8. Written Receipts

9. Working hours

10. Customer and Other Personal Information

11. Vehicle Checks

12. Change of Details

13. Change of Operator

14. CCTV

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/private-hire-vehicle-drivers-licensing-conditions-html> for the latest version.

Get [information on copyright](#).

15. Lost Property

16. Fire Extinguisher in vehicle

17. Prompt Attendance

18. Sounding of car horns

19. Accidents

20. Wheelchair Accessible Vehicles

21. Credit Card/Debit Card Payment Facility

22. Conditions

23. Suspension

Notes

Introduction

All reference to 'driver' in these conditions set out below means the driver who holds a private hire driver's licence issued by this Licensing Authority issued pursuant to Section 53 of the Local Government (Miscellaneous Provisions) Act 1976.

'Proprietor' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'Licensing Authority' refers to the [insert council name].

'Authorised officer' has the same meaning as in Section 80 of the Local

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/private-hire-vehicle-drivers-licensing-conditions-html> for the latest version.

Get [information on copyright](#).

Government (Miscellaneous Provisions) Act 1976

Any legal requirements that apply to private hire drivers are regarded as if they are conditions of the licence, whether specifically listed below or in the policy or not.

1. General

1.1 The licence is granted to the person named thereon to act as a driver of a Private Hire Vehicle within the district of the Licensing Authority subject to the consent of the operator/proprietor of such vehicle and to such acts and bye-laws as are or may from time to time be in force in the said district.

1.2 The driver, shall at all times:

- a) Convey a reasonable quantity of luggage;
- b) Afford reasonable assistance in loading and unloading passenger luggage;
- c) Afford reasonable assistance in removing luggage to or from the entrance of any building, station or place at which he/she may take up or set down such persons
- d) Whilst on duty behave in a civil and orderly manner towards all passengers, members of the public, and enforcement officers (police or Local Authority);
- e) Be appropriately dressed in suitable clean clothing, and adhere to the Licensing Authority's hackney carriage/private hire driver's dress code.
- f) Not without the express consent of the hirer, drink or eat in the vehicle;
- g) 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 operation or hire of the vehicle.
- h) At no time cause or permit the noise emitted by any radio or previously mentioned equipment in the vehicle which he/she is driving to be the source of nuisance or annoyance to any persons whether inside or outside the vehicle
- i) Keep the licensed vehicle to a high degree of cleanliness;
- j) When a vehicle is hired, take all responsible steps to ensure the safety of the passengers conveyed on entering or alighting from the vehicle.
- k) Comply with the Licensing Authority's Hackney Carriage/Private Hire Driver's

Code of Conduct.

l) Comply with all reasonable requests made by authorised officers of the Licensing Authority

m) Comply with all reasonable requests made by authorised officers of the Licensing Authority in which the driver is working at the time (when outside home authority)

1.3 Every driver of a licensed vehicle shall not permit to be conveyed in that vehicle a greater number of passengers exclusive of the driver than the number of persons specified in the licence issued in respect of that vehicle;

1.4 The driver shall not conceal either the exterior identification plates of the private hire vehicle or the details printed or marked thereon, or the interior display of the private hire vehicle licence numbers, from the public view, and will keep the identification plates and the display in a clean condition.

1.5 The driver shall not without the consent of the hirer of the vehicle convey or permit to be conveyed any other person in the vehicle. Unless part of a ride-share or carpooling scheme.

1.6 The driver shall at his/her discretion, convey animals, which are in the custody of the hirer and in this case the animal, must be conveyed in the rear of the vehicle. Dogs assisting passengers with disabilities must always be permitted to be conveyed in the vehicle (see Taxi and Private Hire Licensing policy for further information on carrying passengers with disabilities).

2. Driver Badge

2.1 Drivers will be issued with two identity badges bearing his/her photograph. One must be displayed in the front windscreen so it is clearly visible to prospective passengers. The other badge must be worn so as to be plainly and distinctly visible in a conspicuous position (on the upper part of the body not at the waist) at all times whilst the driver is undertaking licensed duties.

2.2 Where a licence or badge is lost a duplicate must be requested immediately from the Licensing Authority. If the original badge is then found, it

must be returned to the Licensing Authority immediately.

2.3 The badge(s) remain the property of the Licensing Authority, and must be returned to the Licensing Authority within 5 working days of expiry or other such time as the Licensing Authority may specify.

3. Police Check & Notification of Convictions

3.1 Within 48 hours of any arrest and release, and then after any subsequent conviction, binding over, caution, warning, reprimand or arrest for any criminal or motoring matter (whether or not charged) imposed on him / her during the period of the licence, the licence holder must notify the Licensing Authority with full details of the matter(s).

What must be reported:

- a. Any conviction (criminal or motoring matter);
- b. Any caution (issued by the Police or any other agency);
- c. Issue of any Magistrate's Court summonses against you;
- d. Issue of any fixed penalty notice for any matter;
- e. Any harassment or other form of warning or order within the criminal law including anti-social behaviour orders or similar;
- f. Arrest for any offence (whether or not charged);
- g. Any acquittal following a criminal case heard by a court;
- h. Any refused of any type of licence by any other regulatory authority or any such licence is suspended, revoked or not renewed

4. Disclosure and Barring Service Online Update Service

4.1 All drivers must subscribe to the Disclosure and Barring Service Online Update Service within 30 days of the DBS certificate being issued. Any costs associated with maintaining this subscription must be met by the licence holder. Further information: [DBS Update Service](#)

4.2 The driver must give permission for the Licensing Authority to undertake checks of their DBS status should the Licensing Authority consider it necessary to do so. The Licensing Authority will use the update service to monitor the criminal record of licence holders.

5. Medical

5.1 Every driver must notify the Licensing Authority in writing immediately of any medical condition that may affect their fitness to drive, and must not continue to drive their licensed vehicle until the matter has been considered by the Licensing Authority, and the Licensing Authority has confirmed in writing that the driver is permitted to continue to drive

5.2 The driver must at any time, or at such intervals as the Licensing Authority may reasonably require, produce a certificate in the form prescribed by the Licensing Authority signed by a registered medical practitioner to the effect that he/she is or continues to be physically fit to be a driver of a private hire/hackney carriage vehicle.

5.3 Drivers issued with a temporary medical exemption certificate issued under the Equality Act 2010, must return it to the Licensing Authority within one working day of expiry.

6. Appearance of Driver

6.1 If a driver alters his/her appearance significantly (for example by growing / removing a beard or moustache, changing hair colour etc.), they must request a replacement ID badge from the Licensing Authority at the earliest opportunity and provide an up to date photograph that is an accurate portrayal of their current appearance.

7. Fares

7.2 If a Private Hire Vehicle is fitted with a taxi meter, the driver shall not cause

the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of scrutinising it and has paid the fare.

7.3 The driver of a private hire vehicle shall not demand from any hirer a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taxi meter and there is no previous agreement as to the fare, the fare shown on the face of the taxi meter.

8. Written Receipts

8.1 Every driver of a licensed vehicle shall if required by the hirer, provide him/her with a written receipt for the fare paid.

9. Working hours

9.1 Drivers must not drive when their ability to do so is impaired by tiredness or having worked excessive hours.

9.2 The maximum daily driving time is 10 hours, and drivers must have a break lasting at least 30 minutes after driving for 5.5 hours. Or, within any period of 8 hours 30 minutes, drivers must take at least 45 minutes in breaks. Drivers must also have a break of at least 30 minutes at the end of this period, unless it's the end of the working day.

10. Customer and Other Personal Information

10.1 Drivers must ensure that any personal information obtained during the course of their business is stored securely, and only retained for as long as is absolutely necessary. Access to this information must be restricted to those that will use it for the purpose for which it has been collected.

10.2 Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates. For example, telephone numbers provided by

customers so that they can be alerted / updated by SMS text message with regard to a booking they have made must only be used for this purpose. The information must not be retained by the driver after the text message has been sent, and / or used for any other purpose (such as unsolicited marketing calls).

11. Vehicle Checks

11.1 Every driver shall carry out on a daily basis an inspection of the interior and exterior of the vehicle to ensure that the vehicle is suitable and safe (interior & exterior) for use as a licensed vehicle. The inspection should take place at the start of the working day prior to accepting any passengers. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors, access ramps (where applicable) and seat belts.

11.2 A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept in the vehicle for a minimum of 30 days and then for a further six months by the vehicle proprietor. The record must be available for inspection by an Authorised Officer of the Licensing Authority.

11.3 Any defects must be rectified immediately by the driver or proprietor prior to the vehicle being used for hire or reward.

11.4 The driver must ensure that any signage and notices required by the Licensing Authority are appropriately fixed/attached to the vehicle.

12. Change of Details

12.1 The driver shall notify the Licensing Authority in writing of any change of his/her name/address during the period of the licence and within 5 working days of such change taking place.

12.2 The driver must also amend their name/address on their driving licence

and produce the amended licence to the Licensing Authority within 5 working days of receipt from the issuing body e.g. the DVLA.

13. Change of Operator

13.1 The licence holder must notify the Licensing Authority in writing within 5 working days of any change to the private hire operator for which he/she carries out work for.

14. CCTV

14.1 When a vehicle is fitted with a CCTV system, the driver must comply with all additional conditions specified in the Licensing Authority's Licensed Vehicle CCTV Policy.

15. Lost Property

15.1 The driver of a licensed vehicle shall immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property left by passengers.

15.2 If any property left by any passenger is found, the driver shall take it as soon as possible and in any event within 48 hours (unless claimed by the owner) to a police station in the district and leave it in the custody of the officer in charge. The driver must request a receipt for it.

16. Fire Extinguisher in vehicle

16.1 The driver shall immediately notify the operator or proprietor of the vehicle if the extinguisher provided is defective or has been discharged.

17. Prompt Attendance

17.1 The driver of a licensed vehicle shall, if he/she has been hired to be in attendance at an appointed time and place, punctually attend at the appointed time and place.

17.2 The driver, when hired to drive to any particular destination, shall subject to any directions given by the hirer, proceed to that destination by the shortest, most direct available route.

18. Sounding of car horns

18.1 The driver of a licensed vehicle will not sound the vehicle's horn as a means of alerting hirers of his/her presence, other than in an emergency.

19. Accidents

19.1 If at any time the vehicle is involved in an accident, however minor, the driver must inform the Licensing Authority of this fact as soon as possible and in any event within 1 working day.

20. Wheelchair Accessible Vehicles

20.1 Drivers of wheelchair accessible vehicle must ensure that, before they first use the vehicle for hire or reward, they are able to correctly deploy the vehicle ramps and they understand how to transport the passenger in the wheelchair into and out of the vehicle and secure the wheelchair correctly.

21. Credit Card/Debit Card Payment Facility

21.1 Where a credit/debit card payment device is fitted in the vehicle, the driver must:

- a. At the start of a shift prior to accepting fare paying passengers, check that the device is in fully working order, including the ability to print receipts,
- b. Where a device is faulty, report the matter to the proprietor (if the driver is not proprietor) within 24 hours.
- c. Ensure that where the device is faulty, the card payment window stickers are removed until it is in full operational order.
- d. Where there is a widespread network outage affecting card payments, passengers should be advised of this prior to accepting the fare.

22. Conditions

22.1 Every driver shall at times when driving a licensed vehicle, carry with him a copy of these conditions, and shall make them available for inspection by the hirer or any other passenger on request.

23. Suspension

23.1 Any licence that has been suspended must be returned to the Licensing Authority immediately at the start of the suspension period.

Notes

- I. These conditions should be read in conjunction with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- II. Any person who commits an offence against any of the provisions of the Act of 1976 pursuant to Section 76 may be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to such other penalty as expressly provided in the Act. The licence holder must ensure compliance at all times.
- III. It is the driver's responsibility to make sure they comply with all relevant legislation such as the Road Traffic Act 1988 and all other road traffic legislation e.g. the Highway Code, parking restrictions, and traffic regulation orders.
- IV. If at any time the conduct of the driver leads to concerns by the Licensing Authority as to whether they remain a fit and proper to hold a licence, the

Licensing Authority will investigate the conduct and if satisfied that the driver is no longer fit and proper person the driver licence may be suspended and/or subsequently revoked.

V. Failure to declare any conviction within the required timescale together with the nature of the conviction will be taken into account in deciding whether a licence holder is a fit and proper person to hold a hackney carriage/private hire driver licence. This may result in the suspension, revocation or refusal to renew the private hire driver licence.

VI. Any infringement of the licensing conditions could lead to suspension or revocation of the licence.

VII. Any licence that has been surrendered or revoked must be immediately returned to the Licensing Authority.

VIII. Where a licence has been obtained by giving false or incomplete information, consideration will be given to suspending, revoking or refusing the licence. The driver may also be liable to prosecution

IX. The renewal of a licence should be made in advance to ensure continuity. There is no automatic period of grace. Unlicensed driving is an offence

X. Any request for advice from the Licensing Authority in relation to licensing legislation should be in writing to which a written response will be given so as to avoid any future dispute as to the advice given. This does not preclude you from obtaining your own independent legal advice.

XI. Any person aggrieved by any conditions specified in the licence may appeal to the magistrate's court within 21 days of issue.

XII. Any reference to 'working days' excludes a Saturday or a Sunday, Christmas Eve, Christmas Day, Good Friday, Bank Holidays or any other day on which the Licensing Office is closed.

About this document

This document is a copy of the web page [Private hire vehicle drivers: licensing conditions](#) downloaded.

Go to <https://gov.wales/private-hire-vehicle-drivers-licensing-conditions.html> for the latest version.

This document may not be fully accessible, for more information refer to our [accessibility statement](#).

Get [information on copyright](#).

