

BYELAWS

made by East Hampshire District Council
with respect to **Hackney Carriages**
in the East Hampshire District



EAST HAMPSHIRE DISTRICT COUNCIL

BYELAWS MADE UNDER SECTION 68 OF THE TOWN POLICE CLAUSES ACT, 1841 AND SECTION 171 OF THE PUBLIC HEALTH ACT, 1875 BY THE DISTRICT COUNCIL OF EAST HAMPSHIRE WITH RESPECT TO HACKNEY CARRIAGES IN THE DISTRICT OF EAST HAMPSHIRE

INTERPRETATION

1. Throughout these byelaws "the Council" means the District Council of East Hampshire and "the district" means the District of East Hampshire.

PROVISIONS REGULATING THE PROVISION AND DISPLAY OF HACKNEY CARRIAGE IDENTIFICATION PLATE

2. a) An identification plate provided by the Council bearing the number of the licence granted in respect of the vehicle shall be securely fixed to the satisfaction of the Council, to the outside of the offside rear of the vehicle in such position that it shall be clearly visible from the rear of the vehicle and shall be not less than 12 inches nor more than 30 inches to the bottom edge of the plate from the ground when the vehicle is fully laden, and shall not be wilfully or negligently concealed from public view while the vehicle is being used for hire purposes nor be permitted to stand or ply for hire with such plate so defaced or damaged that any figure or material particular is illegible.
- b) On expiry, revocation or suspension of a licence granted under the provisions of Section 37 of the Town Police Clauses Act, 1847, the Council may by notice require the proprietor to return to them the identification plate issued in respect of such licence granted to him.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall:
 - a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - b) cause the roof or covering to be kept water-tight;
 - c) provide any necessary windows and means of opening and closing and not less than one window on each side;
 - d) cause the seats to be properly cushioned or covered;
 - e) cause the floor to be provided with a proper carpet, mat or other suitable covering;

- f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - g) provide means for securing luggage if the hackney carriage is so constructed as to carry luggage.
 - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
 - i) provide at least two doors for the use of persons conveyed in such hackney carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say:
- a) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures the fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the hackney carriage by distance in pursuance of the tariff fixed by the Council;
 - d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - e) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the hackney carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - f) the taximeter and all the fittings thereof shall be so affixed to the hackney carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES

5. The driver of a hackney carriage provided with a taximeter shall:
 - a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter.
 - b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
 - c) cause the dial of the taximeter to be kept properly illuminated between half-an-hour after sunset to half-an-hour before sunrise.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the hackney carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired;
 - a) proceed with reasonable speed to one of the stands fixed by the Council;
 - b) if a stand, at the time of his arrival, is occupied by the full number of hackney carriages authorised to occupy it, proceed to another stand;
 - c) on arriving at a stand not already occupied by the full: number of hackney carriages authorised to occupy it, station the hackney carriage immediately behind the hackney carriage or hackney carriages on the stand and so as to face in the same direction;
 - d) from time to time when any other hackney carriage immediately in front is driven off or moved forward causing his hackney carriage to be moved forward so as to fill the place previously occupied by the hackney carriage driven off or moved forward.
8. A proprietor or driver of a hackney carriage, when standing or plying for hire shall not, by calling or otherwise, importune any person to hire such hackney carriage and shall not make use of the services of any other person for the purpose.
9. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

10. The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such hackney carriage at such appointed time and place.
11. 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 outside of the carriage.
12. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
13. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the hackney carriage:

**PROVISIONS FIXING THE RATE OF FARES TO BE PAID FOR HACKNEY CARRIAGES
WITHIN THE DISTRICT, AND SECURING THE DUE PUBLICATION OF SUCH FARES**

14. a) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the hackney carriage the rate or fare prescribed by the Council, the rate or fare being calculated by distance unless the hirer expresses at the commencement of hiring his desire to engage by time.

PROVIDED ALWAYS that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

15. a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council to be exhibited inside the hackney carriage in clearly distinguishable letters and figures.
 - b) The proprietor or driver of a hackney carriage bearing a statement of fares shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the hackney carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES, AND FIXING THE CHARGES TO BE MADE IN RESPECT THEREOF

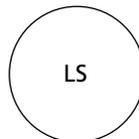
16. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
17. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:
 - a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the nearest Police Station and leave it in the custody of the officer in charge on his giving a receipt for it;
 - b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the said Police Station, whichever is the greater) but not more than five pounds.

PENALTIES

18. 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) for each offence, and in the case of a continuing offence a further penalty not exceeding £2 for each day after written notice of the offence from the local authority.
19. The byelaws relating to hackney carriages which were made by the District Council of East Hampshire on the 21st day of August 1989 and which were confirmed by one of Her Majesty's Principal Secretaries of State on the 1st day of December 1989 are hereby repealed.

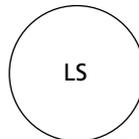
THE COMMON SEAL of EAST HAMPSHIRE
DISTRICT COUNCIL was hereunto
affixed in the presence of

R.M. Butler (sgd)
for Chief Executive



The foregoing byelaws are hereby confirmed
by the Secretary of State and shall
come into operation 1 January 1991.

M Lambirth (Sgd)



An assistant secretary in the department of
transport on behalf of the secretary of
state for transport

EAST HAMPSHIRE



Partners

www.easthants.gov.uk

ENVIRONMENTAL SERVICES



hackney byelaws 0311