

Taxi Offences

The following notes outline a range of offences relating to driver, operator and vehicle licensing for Hackney Carriage and Private Hire businesses under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

Abbreviations

In this guide the following abbreviations will often be found:

"HC"	Hackney Carriage
"PH"	Private Hire
"HCV"	Hackney Carriage Vehicle.
"PHV"	Private Hire Vehicle
"PHO"	Private Hire Operator
"LA"	Local Authority

Town Police Clauses Act 1847

Section	Offences
40 (a)	A person stating in a document the name of a person not a proprietor or wilfully omitting to specify the proprietor.
40 (b)	A proprietor who fails to insure the vehicle.
40 (c)	A proprietor who sells his vehicle without the plate.
41	A proprietor who fails to display signs indicating it is HC.
44	Any owner of a HV who fails to notify LA of any change of address in writing.
45	An owner of HC who permits the vehicle to ply for hire within the District without obtaining a licence for its use or if that licence is suspended or using a vehicle without clearly displaying the number of the vehicle or outside the district for which they are licensed.
46	A driver who acts as a driver of HC without obtaining a licence.
47	A proprietor who employs unlicensed person to drive a HC.
48	A proprietor of HC who neglects to have delivered to him the licence of a driver or fails to retain in his possession such a licence or refused or neglects to produce such licence.
55	A driver of HC who charges any sum over and above the fare allowed.
56	A proprietor or driver of HC who agrees to carry people over a certain distance charges more for the journey than the fare allowed.
58	A proprietor or driver of HC convicted of overcharging.
59	A proprietor or driver of HC which is hired suffers any person to be carried without express consent of the person hiring the vehicle.
60	A driver of HC who allows another person, whether licensed or not to act as the driver of a vehicle without the consent.

- 61 A driver of HC or any other person who is intoxicated while driving or who causes injury to any other person by wanton and furious driving or by any other misconduct.
- 64 A driver of HC who obstructs another HC in taking up or setting down passengers or prevents another HC from being hired in a forcible manner.

Local Government (Miscellaneous Provisions) Act 1976

Section Offences

- 46 The following who knowingly contravenes the following provisions shall be guilty of an offence:-
- (a) The proprietor of a vehicle who allows it to be used for PH without a licence.
 - (b) A person who acts as the driver of PH vehicle without a licence.
 - (c) The proprietor of a vehicle who employs a driver of PH vehicle without a licence.
 - (d) A person who operates a PH vehicle without a licence.
 - (e) The operator of a PH vehicle with a licence to operate a PH vehicle if:-
 - (i) the vehicle is not unlicensed;
 - (ii) the driver is not licensed.
- 49 The proprietor of HC or PH vehicle who, without reasonable excuse, transfers his interest in the vehicle and fails to inform LA of the transfer within 14 days of the transfer.
- 50 The proprietor of HC or PH vehicle who without reasonable excuse:-
- (a) Fails to state in writing place vehicle is kept when not in use and afford facilities for the vehicle to be inspected and tested there.
 - (b) Fails to report accident to licensed vehicle to LA within 72 hours.
 - (c) Fails to produce licence to a vehicle or certificate of insurance.
- 53 The driver of HC or PH vehicle who without reasonable excuse fails to produce his driver's licence when requested by an authorised officer of LA or any Constable either forthwith or within 5 days at the offices of LA or at a Police Station.
- 54 The driver of PH vehicle who, without reasonable excuse, fails to wear the badge given to them by the LA in such a position and manner as to be plainly and distinctly visible.
- 56 The operator of PH vehicle who without reasonable excuse fails to:-
- (a) Keep records of the hiring of vehicles and produce them when requested by an authorised office of LA or any Constable.
 - (b) Keep any other records as prescribed by LA produce then when requested by an authorised officer of LA or any Constable.
 - (c) Produce his licence when requested by an authorised officer of LA or any Constable.
- 57 Any person who knowingly or recklessly makes a false statement or omits any of the following information:-
- any information LA reasonably considers it requires to decide if a licence should be granted; and in respect of operator's licences:-
- a) name and address of applicant;
 - b) address from which he intends to carry out business;
 - c) any trade or business carried out before making the application;
 - d) details of previous application;
 - e) details of the revocation or suspension of any operator's licence previously held by him;
 - f) any convictions recorded against the applicant;

- g) if the applicant is or has been a director of a company information regarding any convictions recorded against the company; has any trade or business carried out by the company; details of any previous application by the company; details of the revocation or suspension of any operator's licence previously held by the company;
- h) if the applicant is a company, information regarding any convictions recorded against the company; has any trade or business carried out by the company; details of any previous application by the company; details of the revocation or suspension of any operator's licence previously held by the company;
- i) if the applicant proposes to operate the vehicle in partnership with any other person; information regarding any convictions recorded against that person; has any trade or business carried out by that person; details of any previous application by that person; details of the revocation or suspension of any operator's licence previously held by that person.

69 The driver of a HC or PH vehicle, who without reasonable cause, prolongs in distance or time the journey for which the vehicle is hired.

71 Any person who

- (a) tampers with any seal on a taximeter without lawful excuse; or
- (b) alters any taximeter with intent to mislead; or
- (c) knowingly causes or permits a PH vehicle fitted with a taximeter, of which he is the proprietor, to be used without unless the taximeter has been tested and approved by LA.

73 Any person who:-

- (a) wilfully obstructs an authorised officer of LA or any constable; or
- (b) without reasonable excuse fails to comply with any requirement properly made to him by such officer or constable;
- (c) without reasonable excuse fails to give such an officer or constable, any information he may reasonably require of such person.