

CONDITIONS APPLICABLE TO TAXI DRIVING LICENCES

Subject to the foregoing, the following words or phrases shall have the meanings set out below: -

"licensed area" means the area of The City of Aberdeen;

"licensing authority" means Aberdeen City Council;

"luggage" includes all items which the hirer or passenger wishes to be carried in the vehicle, whether his own personal baggage for the journey, or being carried for business or otherwise, and shall also include animals or pets which reasonably may be accommodated within the vehicle;

"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; and

"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.

1. The driver of a taxi shall at all times while he is acting as such have with him the taxi drivers' licence, badge of identification and identity card issued by the licensing authority. He shall exhibit such licence on demand to any passenger, Constable or authorised officer of the licensing authority and shall display such identity card clearly within the passenger compartment of his vehicle. The badge of identification and identity card issued by the licensing authority shall each include a recent photograph showing a true likeness of the driver and he shall display his badge of identification at all times while so acting conspicuously on the outer front, upper portion of his outermost garment with the inscribed side of the badge clearly visible. The licensing authority shall require from the driver of a taxi at the time of issue of his driver's licence or badge of identification or identity card a sum specified by the licensing authority.
2. The driver of a taxi shall NOT: -
 - (a) Permit any other person to use his badge of identification.
 - (b) Wilfully damage his badge of identification.
 - (c) Give, transfer, sell or otherwise dispose of his badge of identification.
3. The driver of a taxi shall immediately report the loss of his badge of identification to the licensing authority.
4. The driver of a taxi shall surrender his badge of identification to the licensing authority within seven days of leaving the trade or of the expiry, suspension, forfeiture, revocation or surrender of his taxi driver's licence.
5. The driver of a taxi shall surrender to the licensing authority a badge of identification, the inscription or photograph on which has become in whole or in part illegible or defaced as the case may be.
6. The driver of a taxi 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.
7. The driver of a taxi shall operate on shared hire only with the consent of the first hirer or passenger even if there is displayed on the taxi a sign or other thing approved by the licensing authority indicating that the taxi is available for shared hire; but he shall not be required to

operate on shared hire if no such sign or other thing is displayed on the taxi at the time of the initial hiring.

8. The driver of a taxi which is on exclusive hire may not in any circumstances pick up or convey another passenger without the consent of the original hirer(s) or passenger(s).
9. The driver of a taxi shall not at any time convey in the taxi more than the number of passengers the taxi is licensed to carry.
10. The driver of a taxi which has been hired on exclusive hire shall drive to the destination by the shortest practicable route unless otherwise instructed by the hirer. The driver of a taxi which has been hired on shared hire shall take the shortest practicable route which will serve the destinations of all the passengers whom he is carrying at any one time.
11. The driver of a taxi not being used as a taxi-bus shall if the cost of the journey is not regulated by a licensing authority fare structure inform the hirer(s) or passenger(s) before journey commences (a) that the fare if not so regulated; and (b) of the cost or the method of calculating the cost of the proposed journey.
12. The driver of a taxi shall ensure that any taximeter fitted in the taxi in his charge shall be operated at all times within the licensed area and in accordance with the detailed requirements imposed by the licensing authority.
13. The driver of a taxi shall from time to time and at least once in each day in which he uses the taxi inspect the seals on the taximeter to ensure that they are intact. On discovering that the seals have become broken or damaged or that the taximeter has ceased to function correctly, the driver of a taxi shall immediately withdraw the vehicle from service.
14. Subject to conditions 15 and 16 below, the driver of a taxi shall not refuse to drive a passenger to any place within the licensed area.
15. The driver of a taxi on shared hire may decline to accept a further passenger on the grounds that his intended destination could not be served without an excessive or unreasonable addition to the journey distance of the existing passenger or passengers, or that the further passenger's luggage cannot be accommodated safely within the taxi.
16. The driver of a taxi need not convey any hirer or passenger who is drunk or otherwise not in a fit and proper state to be carried or whose condition of clothing is offensive or likely to cause damage to the interior of the taxi or who refuses to cease smoking in the taxi when requested to do so by the driver or is accompanied by an animal which is likely to damage or soil the interior of the taxi or for any other reasonable excuse as approved by the licensing authority.
- 17.(a) The driver of a taxi, while he is in charge of the taxi shall not park, or stop his taxi, nor canvass or importune for employment within 50 metres of any designated taxi stance.
(b) At any time, when any designated taxi rank is closed, the driver of a taxi shall not park, stop his taxi, ply for hire or otherwise canvass or importune for employment at that closed taxi rank.
- 18.(a) The driver of a taxi shall not refuse to carry luggage in his taxi providing the luggage can be accommodated safely within the taxi; and
(b) The driver of a taxi shall give such assistance to their passengers as they are able to give with loading and unloading their luggage when required to do so but the driver of the taxi will not be required to leave the immediate proximity of the taxi in doing so.
19. Where the taxi has retractable steps, the driver shall operate these as and when required and make reasonable enquiries of passengers, where appropriate, to ascertain this.
- 20.(a) The driver of a designated accessible taxi shall assist wheelchair users into and out of the taxi using the ramp if necessary and shall ensure that they are properly secured by means of the fixed seat belts before starting the journey, but the driver of the taxi will not be required to leave the immediate proximity of the taxi in doing so; and
(b) The driver of a designated taxi is exempt from compliance with the duties, to carry the passenger while in the wheelchair or if the passenger chooses to sit in a passenger seat, to

carry the wheelchair, and otherwise from the duties to assist passengers in wheelchairs in the following circumstances —

- (i) if an exemption certificate issued to the driver is in force, and
- (ii) if the prescribed notice of the exemption is exhibited on the taxi.

For the purposes of this condition —

an accessible taxi vehicle is “designated” if it appears on a list maintained under section 167 of the Equality Act 2010;

“the passenger” means the disabled person concerned.

21. The driver of a taxi at the end of each hiring shall search the taxi of which he is in charge for any property which may have been left therein. Any property found by the driver shall within twenty-four hours, be returned to the owner of the property, if known or handed in by the driver to any police station.
22. The driver of a taxi whilst so acting must at all times be strictly sober, clean and tidy in his person and clothing, shall conduct himself in a proper and civil manner and shall not smoke.
23. The driver of a taxi shall not knowingly allow the taxi in his charge to be used for illegal or immoral purposes, permit to be carried in the taxi in his charge any article of a dirty, filthy or noxious nature or an explosive or dangerous nature or permit to be carried in the taxi in his charge any person who has vermin on his person.
24. The driver of a taxi shall ensure that the taxi including all bodywork, upholstery and fittings is safe, serviceable and in a clean condition and at all times ready and sufficient for hire subject to prevailing road conditions.
25. All drivers of taxis arriving at an appointed taxi stance shall take their stations on such stance from front to rear in order of their arrival and hires will be accepted by the drivers in that order except when an intending hirer wishes to engage a specific taxi or its driver in which case the engagement may be accepted in the order indicated by the intending hirer but the onus of proving the hirer's wishes shall be on the driver of the taxi apparently chosen out of order. Unless the licensing authority makes specific arrangements for particular stances, where a taxi is driven off a stance the driver of the taxi immediately behind shall draw up his vehicle to take the place vacated and the taxi drivers on the stance behind shall draw up their vehicles in like manner.
26. The driver of a taxi which is being operated on shared hire may wait at a stance only for such time as is reasonably required to ascertain whether there are any prospective further passengers (in addition to an existing passenger or existing passengers) in the immediate vicinity of the stance at that time who wish to participate in the shared hire of the taxi; but if no such further passengers are found there and then, the driver shall immediately drive his taxi off the stance.
27. The driver of a taxi when a taxi is hired or standing for hire shall either sit in the driving seat of the taxi or stand in the immediate proximity thereto except during any period he may be absent to announce the arrival of his taxi to the hirer or when assisting the hirer to enter or leave the taxi or to load or unload luggage or for any other necessary purpose.
28. While at a stance or a place of public entertainment where other taxis are waiting, drivers must not congregate with others in any one taxi or on the footpath thereat.
29. The licence holder is expressly prohibited from intercepting and acting upon the radio communications of any firm whose facilities he is not authorised to use. Without prejudice to the foregoing generality, the licence holder shall be bound to ensure that no radio scanner device is operated by anyone within his taxi nor shall the same be operated by himself in the vicinity of his nor shall he receive and use information emanating from a taxi or private hire firm other than his own gained from another individual operating a radio scanner.
30. Where the taxi has been hired:
 - (a) by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog of that person,

- (b) by a person who wishes such a disabled person to accompany that person in the taxi, and the circumstances specified in Condition 30(c) below do not apply, the driver of the taxi shall carry the disabled person's dog and allow it to remain with the disabled person and shall not make any additional charge for doing so.

The terms "guide dog" and "hearing dog" are as defined in Section 20 of The Civic Government (Scotland) Act 1982.

The term "assistance dog" is as defined in The Taxi Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2003 ("the 2003 Regulations").

- (c) The circumstances referred to in condition 30(b) above are that -
- (i) a notice of exemption in the form set out in the Schedule to the 2003 Regulations has been issued to the driver in accordance with the procedure set out in the 2003 Regulations and is in force; and
 - (ii) that notice is exhibited either by
 - i. affixing it in a prominent position on the dashboard facing upwards; or
 - ii. affixing it to the windscreen of the taxi, facing outwards.

Any notice of exemption shall be issued for such period as the licensing authority considers appropriate.

Application for exemption should be made no later than three months before the date the driver wishes the exemption to take place.



Head of Legal and Democratic Services