



**LEGISLATION AND CONDITIONS  
APPLICABLE TO  
PRIVATE HIRE VEHICLE DRIVER'S LICENCES  
&  
PENALTY POINTS ENFORCEMENT SYSTEM**

**Local Government (Miscellaneous Provisions) Act 1976**

**Updated 2 June 2010**

## **PART 1 - PENALTY POINTS SYSTEM**

### **1. OPERATION OF PENALTY POINTS SYSTEM**

- 1.1 Without prejudice to any other course of action or remedy available to the Council, in the event of any contravention of any relevant statute, byelaw, regulation or private hire vehicle driver condition, the Council may use this penalty points system as a means of enforcement. Where the system is used, if a breach or contravention occurs, as indicated in these conditions, the penalty points indicated within this document shall be allocated to the licence.
- 1.2 Where a driver submits a completed application to renew a licence prior to the expiry of an existing licence the Council will normally write to that driver advising that he/she is entitled to continue driving private hire vehicles pending the determination of his/her application. In these circumstances if a driver accumulates sufficient penalty points in order to warrant a licence suspension the entitlement to continue driving will be suspended for the same period of time that a private hire vehicle driver's licence would have been suspended had one been in force. The suspension of this entitlement to drive shall be notified in writing to the driver by officers.
- 1.3 Where a driver is sent an entitlement to driver letter, as detailed in 1.2 above, if the a driver accumulates sufficient penalty points in order to warrant a licence revocation, the entitlement to continue driving will be withdrawn and the renewal application refused. The withdrawal of the entitlement to continue driving and the refusal to renew the licence, and the rights of appeal against it, shall be notified in writing to the driver by officers
- 1.4 In the event that a driver surrenders his/her private hire vehicle driver's licence or withdraws his/her application to renew a private hire vehicle driver's licence or does not apply to renew a licence, any penalty points issued or in process will remain live and will be imposed on any subsequent private hire vehicle driver's licence issued within 12 months of the issue of any penalty points.
- 1.5 Penalty points accumulated during a period of entitlement to drive, which do not result in the suspension or revocation of a licence, shall be imposed on any new licence issued within 12 months of the issue of the penalty points.

### **2. Action where a suspected breach or non compliance occurs**

- 2.1 Where a suspected breach or non compliance with the Local Government (Miscellaneous Provisions) Act 1976, or Private Hire Vehicle Driver Licence Conditions is detected a letter will be sent to that person setting out the circumstances of the alleged breach or non compliance. The letter shall offer an opportunity to either admit or deny the allegation. Where the breach is admitted the appropriate number of penalty points shall be allocated to the licence and a letter shall be sent to the licence holder confirming the allocation of points.
- 2.2 If the licence holder fails to respond to the letter setting out the circumstances of the alleged breach or non-compliance within 28 days, the appropriate number of penalty points shall be allocated to that individual's licence and a letter shall be sent confirming the allocation of points.

- 2.3 If the licence holder responds to the letter, but denies the allegation due to him/her not being the vehicle driver at the time of the incident, they shall be given an opportunity to nominate another driver. In the event that the licence holder fails to nominate another person the appropriate number of penalty points shall be allocated and again, a letter shall be sent to the licence holder confirming the allocation of points. That letter shall also explain the appeal options open to the licence holder.
- 2.4 If the licence holder denies the allegation due to a dispute of facts he/she shall have the opportunity to challenge the matter as detailed in the disputes options, as set out at paragraph 7 below.

### **3. Use of alternative enforcement action in conjunction with penalty points**

- 3.1 Where penalty points are shown in the conditions this shall not preclude alternative formal action, including prosecution/suspension/revocation, being taken by the Council.
- 3.2 Where enforcement action such as prosecution or fixed penalty notices are used in respect of breaches this shall not preclude the issuing of penalty points and penalty points will normally be awarded in addition to the alternative form of enforcement.
- 3.3 Where a driver also holds a hackney carriage vehicle driver's licence any action taken in respect of his private hire vehicle driver's badge will also apply to his hackney carriage driver's badge.

### **4. First accumulation of 12 penalty points**

- 4.1 If a licence holder accumulates 12 penalty points in any 12 month period the licence shall be suspended for 14 calendar days. Following the suspension the points shall be removed from the licence. If no more than 11 penalty points have been issued to the licence holder within any 12 month period, no suspension shall occur. In cases where a combination of breaches of licence conditions result in the number of penalty points reaching more than 12, and a suspension subsequently occurs, all the penalty points from the breaches resulting in the suspension shall be considered spent and no penalty points will be carried forward. In the case of a breach of condition 13.6, resulting in 36 penalty points being awarded, no suspension shall occur, instead the licence shall be revoked. This revocation, and the rights of appeal against it, shall be notified in writing to the driver by officers.

### **5. Second accumulation of 12 penalty points**

- 5.1 If, following a first suspension, a licence holder accumulates a further 12 points in any 12 month period, within 4 years of the end of the first suspension, a further suspension for a period of 28 calendar days shall occur. Following the suspension the points shall be removed from the licence. If no more than 11 penalty points have been issued to the licence holder within any 12 month period, no suspension shall occur. In cases where a combination of breaches of licence conditions result in the number of penalty points reaching more than 12, and a suspension subsequently occurs, all the penalty points from the breaches resulting in the suspension shall be considered spent and no penalty points will be carried forward.

In the case of a breach of condition 13.6, resulting in 36 penalty points being awarded, no suspension shall occur, instead the licence shall be revoked. This revocation, and the rights of appeal against it, shall be notified in writing to the driver by officers.

## **6. Third accumulation of 12 penalty points**

6.1 If, following a second suspension, a licence holder accumulates a further 12 points in any 12 month period, within 4 years of the end of the second suspension, his/her private hire vehicle driver's licence shall be automatically revoked. This revocation, and the rights of appeal against it, shall be notified in writing to the driver by officers. In cases where a combination of breaches of licence conditions result in the number of penalty points reaching more than 12, and a revocation subsequently occurs, all the penalty points from the breaches resulting in the revocation shall be considered spent and no penalty points will be carried forward.

## **7. Disputes**

### **7.1 Review by Senior Officer**

In the event of the licence holder disputing that he/she is liable for points to be awarded against him/her, the licence holder may request, in writing within 28 days of being notified of the allegation, that the incident and awarding of penalty points be considered by a Senior Officer. Where this occurs the Senior Officer shall consider the evidence attached to the incident and will aim to respond to the licence holder, in writing, within 28 days of being notified of the dispute. The Senior Officer shall decide whether it is appropriate to allocate the penalty points.

### **7.2 Appeal to Licensing Sub Committee**

In the event that the licence holder is unhappy with the findings of the Senior Officer, he/she may ask, in writing within 28 days of being notified of the Senior Officers findings, for the matter to be reviewed by the Council's Licensing Sub-Committee. Where this occurs a hearing shall be held where details of the incident shall be provided to the Sub-Committee in writing and the licence holder will have the opportunity to present evidence and information in support of his/her case.

In the event that the Sub-Committee upholds the decision of the Senior Officer no greater punishment shall be imposed other than the awarding of the penalty points for that particular breach or requirement.

## **8. Action where licence holder has received a previous suspension or suspensions via the Warning Letter System in operation prior to the introduction of the Penalty Points System**

8.1 Where a licence holder accumulates 12 penalty points in any period of 12 months, but his/her licence has already been suspended previously within the last 4 years, if the licence had been suspended on one occasion, a further suspension for a period of 28 calendar days shall occur. Where a licence has been suspended on two previous occasions, the last occasion being within the previous 4 years, the drivers licence shall be automatically revoked. This revocation, and the rights of appeal against it, shall be notified in writing to the driver by officers.

**9. Appeals to the Magistrates Court in connection with Penalty Points**

9.1 Where a driver receives a period of suspension, that person shall be notified in writing within 14 days of the reason(s) for the suspension, and shall have a right of appeal to the Magistrates' Court within 21 days of being served with a notice of the Council's decision.

9.2 Where a driver's licence is revoked, that person shall be notified in writing within 14 days of the reason(s) for the revocation, and shall have a right of appeal to the Magistrates' Court within 21 days of being served with a notice of the Council's decision.

**10. Action where a hackney carriage licence is also held**

In the event of the suspension or revocation of a private hire driver's licence an identical suspension or revocation shall apply in respect of any hackney carriage driver's licence held by the same individual. This suspension or revocation and the rights of appeal against it shall be notified in writing to the driver by officers.

**11. Action following revocation of licence**

A person who has had a private hire vehicle driver's licence revoked under the penalty points system of enforcement shall not be eligible for the issue of a further private hire vehicle driver's or hackney carriage driver's licence until three years have elapsed since the revocation. The Head of Environment & Consumer Services is authorised to refuse any application for a licence in these circumstances.

**Interpretation of Conditions attached to private hire vehicle driver's licence**

In these conditions, unless the subject or context otherwise requires:

- (i) "The Act" means the Local Government (Miscellaneous Provisions) Act 1976.
- (ii) "The Borough" means the Borough of Reading.
- (iii) "The Council" means Reading Borough Council.
- (iv) "Driver" means a person holding and acting in accordance with a private hire vehicle driver's licence issued by the Council.
- (v) "Driving" includes parking or leaving a vehicle unattended.
- (vi) "Licence" means private hire vehicle driver's licence.
- (vii) "Penalty Points" means the number of points, which may be attached to your private hire vehicle driver's licence for a breach of the Act or the conditions in this document.

### **Appeal Procedure in respect of conditions attached to licence**

Any person aggrieved by any condition specified in this licence may appeal to a Magistrates' Court.

The procedure shall be by way of complaint for an order, and the Magistrates' Courts Act 1980 (or any re-enactment or amendment thereto) shall apply to the proceedings.

The time within which any such appeal may be brought shall be twenty-one days from the date on which notice of the requirement, or other decision was served upon the person desiring to appeal, and for this purpose the making of the complaint shall be deemed to be the bringing of the appeal.

## PART 2 - PRIVATE HIRE VEHICLE DRIVER CONDITIONS

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## **CONDITIONS**

- 1. Action where a DVLA Driver's Licence or similar is suspended**
  - 1.1 Where a driver has been disqualified from driving by a court, his/her private hire driver's licence will be revoked by the Head of Environment and Consumer Services.
  - 1.2 You must not drive a private hire vehicle if you no longer hold, have had suspended or are disqualified from holding a DVLA, European Economic Area or Northern Ireland driving licence for that type of vehicle. *To do so - 6 penalty points.*
  
- 2. Requirement to wear/display Reading Borough Council Private Hire Badge**
  - 2.1 You must wear, at all times when driving a private hire vehicle, one of your current private hire driver's badges issued to you. *(Failure to do so - 3 penalty points.*
  - 2.2 All drivers must display in the vehicle, in full view of passenger(s), the other private hire driver's badge issued to you. *Failure to do so - 3 penalty points.*
  
- 3. Requirement to display a private hire vehicle licence plate**
  - 3.1 You must not drive a licensed private hire vehicle without a private hire vehicle plate securely attached to the rear bumper or rear bodywork of the vehicle. *Failure to do so - 3 penalty points.*
  - 3.2 You must not wilfully or negligently cause or suffer the licence plate or identification card allocated to your private hire vehicle, to be concealed from public view or to be so defaced such that it is illegible. *To do so - 3 penalty points.*
  - 3.3 You must not remove a private hire vehicle licence plate from a private hire vehicle, whilst the vehicle remains licensed. *To do so - 3 penalty points.*
  
- 4. Requirement to produce private hire driver's licence**
  - 4.1 You must produce your private hire vehicle driver's licence at the request of an authorised officer of Reading Borough Council and/or a Police officer, either forthwith, or, in the case of an Authorised Officer, at the Civic Offices, Reading and in the case of a Police Constable, the Police Station of your choice within the Borough of Reading within five days of the request. *Failure to do so - 3 penalty points.*
  
- 5. Medical fitness**
  - 5.1 You must undergo a medical examination as prescribed by the Council, confirming your fitness to drive a licensed private hire vehicle as and when required by the Council. The frequencies at which medical examination must usually be

undertaken are prior to obtaining your first licence, then at least every 5 years to age 60, then at least every 2 years to age 70 and at least once a year over the age of 70. *Failure to do so - suspension of licence until medical examination passed and 3 penalty points.*

5.2 You must not drive a private hire vehicle if you are suffering from any disease or disability which would cause the vehicle being driven by you to be a danger to the public. *To do so - suspension of licence until medical examination passed and 3 penalty points.*

5.3 You must ensure that you can, at all times, meet the eyesight requirements specified by the Department of Transport driving test. *Failure to do so - suspension of licence until eyesight requirements met and 3 penalty points.*

## **6. Provision of information to the Council**

6.1 You must not, when providing information to the Council, on applying for a private hire vehicle driver's licence knowingly or recklessly make a false statement and/or knowingly omit any material information. *To do so - 6 penalty points.*

## **7. Waiting on a hackney carriage stand**

7.1 You must not cause or permit a vehicle to wait on a hackney carriage stand without reasonable excuse. *To do so - 6 penalty points.*

## **8. Prolonging of journeys**

8.1 You must not without reasonable cause, unnecessarily prolong in distance or time, the journey for which the vehicle was hired. *To do so - 3 penalty points.*

## **9. Obstruction of authorised officers**

9.1 You must not wilfully obstruct an authorised officer of the Council or a police constable acting under the Act, or without reasonable excuse fail to comply with any requirement made to you by such a person, or without reasonable cause, fail to give any such person any other assistance or information he may reasonably require in the performance of his duties under the above Act. *To do so - 6 penalty points.*

## **10. Copy of licence to be deposited with Operator**

10.1 You must deposit the copy of your licence marked "operator copy" with your private hire vehicle operator, who shall retain such licence during the period of your employment with him and shall return it to you when you cease to be employed by or with that operator. *Failure to do so - 3 penalty points.*

## **11. Requirement to use a licensed vehicle and work for a licensed operator**

- 11.1 When licensed as a driver of private hire vehicles by the Council you must only use a private hire vehicle licensed by Reading Borough Council, unless you are appropriately licensed to use a vehicle licensed by another authority. *Failure to do so - 6 penalty points.*
- 11.2 When licensed as a driver of private hire vehicles by the Council you must only work for a private hire vehicle operator who is also licensed by Reading Borough Council, unless you are appropriately licensed to work for an operator licensed by another authority. *Failure to do so - 3 penalty points.*
- 11.3 You must not take bookings from any person other than the licensed private hire vehicle operator for whom you are working. *To do otherwise - 3 penalty points.*
- 11.4 You must not take bookings personally direct from customers. *To do - 3 points.*
- 11.5 If you change the operator that you work for you must notify the Council within 7 days in writing of your new operator. *Failure to do so - 3 penalty points.*

## **12. Requirement to report loss of licence/badge**

- 12.1 You must report the loss of your licence and/or badge(s) to the Council as soon as such loss becomes known. *Failure to do so - 3 penalty points.*

## **13. Conduct of driver**

- 13.1 You must conduct yourself in an orderly and professional manner at all times and be civil towards your passengers, council officers, other road users and police officers. *Failure to do so - 3 penalty points.*
- 13.2 You must comply with every reasonable requirement of your passengers. *Failure to do so - 3 penalty points.*
- 13.3 You must not drink or eat in your vehicle whilst you have a passenger or passengers on board. *Failure to do so - 3 penalty points.*
- 13.4 You must not smoke in a private hire vehicle at any time. *To do so - 3 penalty points*
- 13.5 You must not behave in a sexually offensive manner towards passengers. *To do so - 12 penalty points.*
- 13.6 Without prejudice to the generality of condition 13.5, you are not permitted to have sexual intercourse with passengers whilst on duty or in a licensed vehicle. *To do so - 36 penalty points resulting in licence revocation.*
- 13.7 Without prejudice to the generality of condition 13.5, you are not permitted to have sexual contact, including intimate kissing, touching of private parts, or similar activity, with passengers whilst on duty or in a licensed vehicle. *To do so - 12 penalty points.*

13.8 Without prejudice to the generality of condition 13.5, you must not engage in any discussion of a sexual nature or about a sexual relationship with a passenger, be it past present or future relationship. *To do so - 12 penalty points*

#### **14. Carriage of luggage**

14.1 You must convey a reasonable quantity of luggage. *Failure to do so - 3 penalty points.*

14.2 You must give reasonable assistance in removing luggage to or from the entrance of any building, station or place when picking up or setting down a passenger. *Failure to do so - 3 penalty points.*

#### **15. Carriage of guide/assistance dogs**

15.1 You must carry a guide dog, or assistance dog belonging to and accompanying a passenger, free of charge, unless you have a proven medical condition that would preclude such action. *Failure to do so - 6 penalty points.*

15.2 You must inform your operator in writing, of any medical condition that precludes you from carrying a guide dog or assistance dog. *Failure to do so - 3 penalty points.*

15.3 You must advise the Council in writing of any medical condition which would preclude you from carrying a guide dog or assistance dog. *Failure to do so - 3 penalty points.*

15.4 You must not charge a higher price for any journey, for a person with a disability than would otherwise be charged for a person without such a disability for the same journey. *Failure to do so - 6 penalty points*

#### **16. Provision of receipts**

16.1 You must, if requested by your hirer/passenger, give a receipt of the operator for whom you work, in respect of the fare paid. The receipt must state the operating company, fare paid, date, time and driver badge number. *Failure to do so - 3 penalty points.*

#### **17. Lost Property**

17.1 You must search your vehicle at the end of each hiring or as soon as possible afterwards for any property which may have been left there. Any property accidentally left in your vehicle, if not claimed by the owner, must be taken to the Lost Property Office at Reading Police Station within 24 hours. *Failure to do so - 3 penalty points.*

17.2 Where within the first 24 hours, the property owner contacts you or your operator and the operator informs you that he/she has been contacted, an agreement

should be reached in respect of the return of the property. This may be by the property being lodged at Reading Police Station, the owner/loser collecting the property from you or your operating base, the property being delivered to the owner/loser as soon as possible or by the property being returned by post/courier or similar. If agreement cannot be reached in respect of the return of the property then the property must be taken without delay to the Lost Property Office at Reading Police Station. *Failure to do so - 3 penalty points.*

- 17.3 Where the owner/loser of the property collects the property from you or your operator base, no charge may be made for the return of that property. *Failure to do so - 3 penalty points.*
- 17.4 Where an agreement has been reached that the property will be returned either by posting, by courier, or by similar means no charge over and above the postage cost, courier cost or similar may be made for the return of the property. *To do so - 3 penalty points.*
- 17.5 Where the property is returned to the owner/loser by private hire vehicle, the normal charge for the journey may be made, but the charge must be agreed to by the owner/loser in advance of the journey being made. *Failure to do so - 3 penalty points.*

## **18. Suitability of vehicles**

- 18.1 You must not drive a private hire vehicle if the vehicle does not comply with the Road Vehicles (Construction and Use) Regulations 1986 as amended. *To do so - 3 penalty points.*
- 18.2 You must, before commencing work each day, ensure that the vehicle is maintained in a clean, comfortable, safe, watertight and mechanically sound condition and is in all other respects suitable for the purpose for which it is intended. *Failure to do so - 3 penalty points.*
- 18.3 You must ensure that any private hire vehicle you drive complies with the Council's requirements in relation to tinted windows at all times. Windscreens must allow at least 75% of light to be transmitted through, front side windows must allow at least 70% of light to be transmitted through and rear windows and screen must allow at least 65% of light to be transmitted through. *Failure to do so - 3 penalty points.*

## **19. Requirement to notify Council of change of address or a conviction**

- 19.1 You must notify the Council within 14 days in writing of any change of address from that shown on your licence. *Failure to do so - 3 penalty points.*
- 19.2 You must notify the Council within 28 days in writing of any criminal or motoring conviction (this includes fixed penalty notices). *Failure to do so - 3 penalty points.*
- 19.3 You must notify the Council within 28 days in writing of any caution(s) received. *Failure to do so - 3 penalty points.*

## **20. Insurance**

- 20.1 You must not drive a private hire vehicle if you are not insured to do so. *To do so - 6 penalty points.*
- 20.2 You must provide the Licensing Section of the Council with the original, valid certificate of insurance in respect of third party risks which must cover your vehicle for private hire purposes. *Failure to do so - 3 penalty points.*

## **21. Leaving the address shown on your licence for more than 28 days**

- 21.1 You must notify the Council in advance, in writing, if you are to be away from the address shown on your licence for a period of more than 28 days. *Failure to do so - 3 penalty points.*
- 21.2 If you are to be away from your home address for a period of more than 28 days and someone else is to use your private hire vehicle whilst you are away you must provide the name, address and home telephone number of that person to the Council prior to going away. *Failure to do so - 3 penalty points.*

## **22. Road traffic accidents and other incidents**

- 22.1 Following a road traffic accident or any other incident involving a private hire vehicle driven by you where there is a likelihood of any dispute over damage or injury, you must give full details of yourself, the owner of the vehicle and the insurance for the vehicle to any person reasonably requesting the information within seven days of such a request being made. *Failure to do so - 3 penalty points.*
- 22.2 If you are not the owner of the private hire vehicle that is involved in a road traffic accident or any other incident while being driven by you, you must notify the owner of the vehicle as soon as is reasonably practicable, and in any case within 72 hours of the incident. *Failure to do so - 3 penalty points.*
- 22.3 If a private hire vehicle driven by you is involved in an accident which causes damage which materially affects the safety, performance or appearance of the vehicle or comfort or convenience of the passengers you must report the damage to the Council as soon as reasonably practicable or in any case within 72 hours of the accident. *Failure to do so - 3 penalty points.*

## **23. Theft or loss of licence plate**

- 23.1 You must report the loss or theft of any private hire vehicle licence plate, private hire vehicle licence or internal vehicle licence plate, to the Police and the Council, as soon as the loss becomes known and in the event of ceasing to use the vehicle for private hire purposes shall return the external and internal licence plates, to the council within seven days. *Failure to do so - 3 penalty points.*

## **24. Action whilst not engaged in carriage of customers**

- 24.1 At any time when not engaged in the carriage of passengers or goods, you must proceed without delay to either the nearest lawful parking area e.g. lawful car park, a road or street without any parking restriction or your operator base, provided sufficient legal parking exists. *Failure to do so - 3 penalty points.*

## **25. School Transport Drivers**

- 25.1 If you work as a school transport vehicle driver you shall also comply with the conditions applicable to drivers of school transport vehicles and the code of conduct for drivers of school transport vehicles. *Failure to do so - 6 penalty points.*
- 25.2 You shall not undertake school transport work without first having had an enhanced criminal record check and being notified of a satisfactory outcome of this check by the Licensing Section. *To do so - 6 penalty points.*

## **26. Plying for hire**

- 26.1 At any time when driving a private hire vehicle you must not cause or permit the vehicle to stand or ply for hire or otherwise be used so as to suggest that it is a hackney carriage vehicle. *Contravention during a test purchase operation by Reading Borough Council - 12 penalty points, all other cases - 6 penalty points.*
- 26.2 You must not, by calling out or otherwise, invite any person to hire such vehicle and shall not make use of the services of any other person for such purpose. *To do so - 12 penalty points.*

## **27. Bus stops and lanes**

- 27.1 At any time when driving a private hire vehicle you must not cause or permit the vehicle to stand at any bus stop or in any bus lay-by. *To do so - 3 penalty points*
- 27.2 At any time when driving a private hire vehicle you must not permit the vehicle to be driven in any bus lane, with the exception of bus lanes that specifically permit use by private hire vehicles. *To do so - 3 penalty points*

## **28. Disabled bays**

- 28.1 At any time when driving a private hire vehicle you must not cause or permit the vehicle to stand in a disabled bay without displaying the appropriate badge or other lawful authority. *To do so - 3 penalty points.*

## **29. Dangerous parking**

29.1 At any time when driving a private hire vehicle you must not cause or permit the vehicle to be parked in such a position so as to cause an unnecessary obstruction or be in a dangerous position (e.g. double parked, parked at or close to a road junction). *To do so - 3 penalty points.*

29.2 At any time when driving a private hire vehicle you must not cause or permit the vehicle to be driven on or become stationary on a footway. *To do so - 3 penalty points.*

### **30. Parking on yellow lines/contravening traffic laws**

30.1 At any time when driving a private hire vehicle you must not cause or permit the vehicle to be stationary on double yellow lines, other than to allow passengers to board or alight from your vehicle. *To do so - 3 penalty points.*

30.2 At any time when driving a private hire vehicle you must not cause or permit the vehicle to be stationary on a single yellow line, in contravention of the notices displayed, other than to allow passengers to board or alight from your vehicle. *To do so - 3 penalty points.*

30.3 At any time when driving a private hire vehicle you must not contravene any traffic laws, regulations, orders or guidance outlined in the current highway code. *To do so - 3 penalty points.*

### **31. Sounding of horn**

31.1 You must not sound the horn of the vehicle you are driving, whilst it is stationary, to signify the vehicle is waiting for passengers. *To do so - 3 penalty points.*

### **32. Number of passengers carried**

32.1 In the event of a parent or guardian of a child asking you to carry a child in your vehicle when a suitable child restraint is not available, you may carry the child provided the following arrangements are adhered to;

- (a) if the child is under 3 years old the child must travel unrestrained (not held in the standard adult seat belt of your car) in the rear of your vehicle; or
- (b) if the child is 3 years or older the child must use the adult seat belt in the rear of your vehicle.

*Failure to do so - 6 penalty points*

32.2 You must not carry more persons than specified on the vehicle licence plate. One child under the age of 3, carried in accordance with condition 33.1(a) above does not count towards the total number of persons permitted to be carried. *To do so - 3 penalty points.*

32.3 You must not carry more persons than the number of seats with seat belts fitted. One child under the age of 3, carried in accordance with condition 33.1(a) above does not count towards this total. *To do so - 6 penalty points.*

32.4 You must not carry any other person in your vehicle without the permission of the hirer. *To do so - 3 penalty points.*

### **33. Giving or lending of vehicle or licence to others**

33.1 You must not lend or give your licence to any other person, other than the copy of your licence that you are required by these conditions to give to your operator. *To do so - 6 penalty points.*

33.2 You must not permit any other person who is not a Reading Borough Council licensed private hire vehicle driver to drive your licensed private hire vehicle. *To do so - 6 penalty points.*

### **34. Playing of radio or similar**

34.1 You must not play a radio or any other sound producing device to the annoyance or discomfort of your passengers. *To do so - 3 penalty points.*

### **35. Use of hand held communication, navigation or similar device**

35.1 You must not use a hand held communications or navigation device or similar (such as mobile telephone, two way radio, satellite navigation device or personal digital assistant) whilst driving. *To do so - 3 penalty points.*

### **36. Signs**

36.1 You must display on your vehicle, at all times when you are working as a private hire driver, a roof sign in accordance with the Council's approved specification as detailed below, unless your vehicle is fitted with side identification panels in accordance with the Council's approved specification. *Failure to do so - 3 penalty points.*

Roof signs must be of Aero design, coloured white, not illuminated, have magnetic fittings, be no less than 152mm high and no more than 165mm high, be no less than 457mm wide and no more than 470mm wide, the depth of the base front to back must be no less than 165mm and no more than 178mm. Lettering must be black 31mm high. The front of the sign must contain the following wording from top to bottom "Advanced Bookings Only" (in negative white letters on black background), telephone number of private hire vehicle operator and the name of the operator. The back of the sign shall contain the following from top to bottom, "Advanced Bookings Only" (in negative white letters on black background), telephone number of private hire vehicle operator, vehicle registration (to the left of the sign) and private hire vehicle plate number (to the right of the sign).

36.2 Where from time to time changes are necessary to the private hire vehicle roof sign due to a change of vehicle, operator or plate number the amendment must be carried out by a professional sign writer and must be the same printed material, colour and design as the remainder of the printing on the roof sign. *Failure to do so - 3 penalty points.*

36.3 You must not permit any private hire vehicle you are driving to display any signs or advertisements of any nature on the exterior of the vehicle apart from the licence plate for the vehicle, Council approved side identification panels or approved roof sign or advertisements approved in accordance with the Council's private hire vehicle and operator licence conditions. *To do so - 3 penalty points.*

### **37. Drivers of Executive Private Hire Vehicles**

*When a driver is using a Private Hire Vehicle that has been licensed as an Executive Private Hire Vehicle the following conditions shall apply, notwithstanding that they may be in conflict with the conditions stated above.*

37.1 You must display the private hire vehicle licence identification disc issued by the Council within the nearside of the front windscreen at all times. *Failure to do so - 3 penalty points.*

37.2 You must carry within the vehicle the 'Exemption Notification' issued by the Council in respect of the licensed private hire vehicle and driver, at all times, which you must present for inspection at the request of an Authorised Officer of the Council, a Police Constable or the hirer. *Failure to do so - 3 penalty points*

37.3 The private hire vehicle licence identification plate issued by the Council, shall not be affixed to the vehicle and shall not be displayed in, on or from the vehicle at any time, except as provided in condition 37.5 (ii). *To do so - 6 penalty points*

37.4 The vehicle shall not be fitted with a roof sign at any time. *To do so - 6 penalty points.*

37.5 You must ensure that the private hire vehicle licence identification plate issued by the Council, shall be;

- (i) Carried within the boot of vehicle at all times;
- (ii) Fixed in the boot in a manner in which it can be easily inspected and not cause damage to any luggage carried;
- (iii) Produced for inspection, upon the request of:
  - (a) an authorised officer of the council;
  - (b) a police officer (including traffic wardens);
  - (c) the hirer.

*Failure to do so - 3 penalty points.*

37.6 You shall convey within the vehicle at all times, but are not obliged to wear, your private hire driver's identification badge issued by the Council. *To fail to do so - 3 penalty points*

37.7 The driver of an executive private hire vehicle shall be appropriately dressed in a smart business or morning suit when the vehicle is hired. *To fail to do so - 3 penalty points*

- 37.8 You must not carry more than four passengers, unless it is a stretched limousine, which is specifically designed or adapted and licensed to carry a maximum of eight passengers. *To do so - 6 penalty points.*
- 37.9 You must not settle accounts and/or tender direct payment by any method, including, credit card, debit card, cheque or cash from passengers. Payment may only be made to the operator's office either before or after the journey. *To do so - 3 penalty points.*