



## **CUSTOMER SERVICES – LEGAL AND REGULATORY SUPPORT**

### **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

#### **SCHEDULE OF CONDITIONS - TAXI DRIVER**

##### **Taxi Drivers Licence, Badge and Change of Circumstances**

- 1 The driver of a taxi shall at all times while they are in charge of a taxi, have with them the taxi driver's licence and badge issued by the Licensing Authority. They shall exhibit such licence or badge, on demand, to any passenger, constable or authorised officer of the Licensing Authority. The identification issued by the Licensing Authority shall include the driver's names, a recent photograph showing his true likeness the date on which the licence expires, and the licence number.
- 2 The driver of a taxi shall, within seven working days, notify the Licensing Authority the following change of circumstances: change of address; medical conditions; loss of driving licence/endorsements on licence; criminal convictions and any other change of circumstances relevant to, or affecting their licence as a taxi driver.
- 3 While on a stance or driving, or otherwise employed as the driver of a taxi, the driver shall wear the badge provided by the Licensing Authority in such a way that is visible and legible with the lettered side outermost, so that the whole writing thereon shall be distinctly legible. The driver may, when engaged at a marriage or funeral or excursion, wear the badge concealed.
- 4 The holder of a taxi driver's licence shall ensure that the taxi including all bodywork, upholstery and fittings is in good, safe and serviceable condition; that the bodywork is of a uniform colour scheme (except where in the manufacturers specification i.e. coachlines etc.) and that subject to prevailing road conditions is in a clean condition

##### **Duties to Passengers**

- 5 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 they have accepted, unless prevented by sufficient cause.
- 6 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 approved by the Licensing Authority indicating that the taxi is available to shared hire; but he shall not be required to operate on shared hire if no such sign is displayed on the taxi at the time of the initial hiring.
- 7 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).
- 8 The driver of a taxi shall not at any time, convey in the taxi more that the number of passengers the taxi is licensed to carry. Drivers shall at all times comply with the relevant Road Traffic legislation in this regard.
- 9 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.
- 10 The driver of a taxi on shared hire may decline to accept an additional 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(s), or that the additional passenger's luggage cannot be accommodated safely within the luggage compartment of the taxi.

- 11 The driver of a taxi, while they are in charge of the taxi, shall not canvass or importune in any public place for employment, except where the taxi is being operated on shared hire, to such extent as is reasonably required to ascertain whether there is any prospective further passengers (in addition to an existing passenger or existing passengers) who wish to participate in the shared hire of the taxi.
- 12 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 or clothing is offensive or likely to cause damage to the interior of the taxi, or who refused to cease smoking (including the use of e-cigarettes), in the taxi when requested to do so by the driver, or is accompanied by any animal which is likely to soil the interior of the taxi, or for any other reasonable excuse. The driver shall not permit alcohol to be consumed within the vehicle.

### **Fees/Charges**

- 13 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 the journey commences (a) that the fare is not so regulated and (b) the cost, or the method of calculating the cost, of the proposed journey.
- 14 The driver of a taxi shall ensure that a taximeter fitted in the taxi in his charge shall be operated at all times, within the licensed area, in accordance with these conditions. It is an offence under S21(5) of the Civic Government (Scotland) Act 1982 to charge in excess of the scales established by the Licensing Authority.
- 15 The driver of a taxi shall ensure that a Notice detailing the table of approved taxi fares and charges is displayed in the passenger compartment of the taxi in such a position that it will be readily visible to the passengers being carried and no other table of fares and charges shall be displayed.

### **Luggage/Property**

- 16 The driver of a taxi shall not refuse to carry luggage in their taxi providing that the said luggage can be accommodated safely within the luggage compartment of the taxi.
- 17 The driver of a taxi shall give such assistance as they are able to give with loading and unloading luggage when required to do so, but they shall not be required to leave the immediate proximity of the taxi in doing so. They shall also give such assistance as they are able to disabled passengers.
- 18 The driver of a taxi, at the end of their shift, shall search the taxi of which they are in charge for any property which may have been left therein. Any property found by the driver shall, within 24 hours, be returned to the owner of the property if known or such property shall be handed in by the driver to any police station.

### **Dress Code**

- 19 The driver of a taxi, while carrying a passenger, shall be clean and tidy in their person and clothing, shall conduct himself in a proper and civil manner and shall not smoke. For the avoidance of doubt, this includes the use of e-cigarettes.

### **Illegal/Immoral purposes**

- 20 The driver of a taxi shall not knowingly allow the taxi in their 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 of an explosive or dangerous nature, or permit to be carried in the taxi in his charge any person who has vermin on his person.

### **Stances**

- 21 All drivers of taxis arriving at an appointed stance shall take their stations from front to rear in order of their arrival. Hires will be accepted by the drivers in that order except when an intending hirer wishes to engage a specific taxi; in such case the engagement may be accepted in the order indicated by the intending hirer and the onus of providing the hirer's wishes shall be on the driver of the taxi apparently chosen out of order. When the driver of a taxi drives off a stance, the taxi driver immediately behind shall take the place vacated and the drivers of the taxis on the stance behind shall do likewise. It is specifically understood, for the avoidance of doubt, that no driver shall enter a taxi stance except from the rear.
- 22 The driver of a taxi which is being operated on shared hire, may wait at a stance for only such time as is reasonably required to ascertain whether there are any prospective further passengers (in addition to an existing passenger(s) in the immediate vicinity 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 leave the stance.
- 23 The driver of a taxi, when the 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 with luggage to or from his taxi or for any other necessary purpose

### **Mobile phones**

- 24 The driver of a taxi car shall not use a mobile phone in contravention of the legislation in relation to the use of mobile phones.

### **Seat Belts**

- 25 The driver of the taxi shall ensure that all passengers use seat belts.

### **Guide Dogs**

- 26 Where a vehicle is hired by or for a disabled person who is accompanied by a guide dog, a hearing dog or an assistance dog, or such a person accompanies a hirer, the licence-holder shall carry that dog, allow it to remain with that person, and shall not make any additional charge for doing (but this condition shall not apply should the licence-holder seek a Medical Exemption Certificate from the Authority and comply with its conditions).

- 27 In these conditions:-

“**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 required 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.