

# Hackney Carriage Driver Conditions

( Sept 2024)

## DEFINITIONS

1. Throughout these byelaws "the Council" means the Council of the Borough of Burnley. "the district" means the Borough of Burnley

2. Provisions regulating the manner in which the number of each Hackney Carriage corresponding with the number of its licence shall be displayed

a) The proprietor of a Hackney Carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.

b) The A proprietor or driver of a Hackney Carriage shall:-

i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;

ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

3. Provisions regulating how Hackney Carriages are to be furnished or provided 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 watertight.

c) provide any necessary windows and a means of opening and closing not less than one window on each side

d) cause the floor to be provided with a proper carpet, mat or other suitable covering

e) cause the seats to be properly cushioned or covered

f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for service

g) provide means for securing luggage if the carriage is so constructed as to carry luggage

i) provide at least two doors for the use of persons conveyed in such 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 taxi meter to be 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 meter
- c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter, in clear legible figures, a fare not exceeding the rate, or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf
- 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 placed that all letters and figures on the face thereof are, at all times, plainly visible to any person being conveyed in the 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 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

5. Provisions relating to the conduct of 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 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 byelaws in that behalf, locked in the position in which no fare is recorded on the face of the taximeter
- b) as soon as the carriage is hired by distance, and before beginning the journey, 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 throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Transport Lighting Act 1957, and also at other times at the request of the hirer

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 carriage is provided, with the fittings thereof, or with the seals affixed thereto.

7. A proprietor or 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 in the district
- b) if a stand, at the time of his arrival is occupied by the full number of carriages authorised to occupy it, proceed to another stand
- c) on arriving at a stand not already occupied by a full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand so as to face in the same direction
- d) from time to time when any other carriage immediately in front is driven off or moved forward, cause his carriage to be moved forward so as to fill the place previously occupied by the 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 out or otherwise, importune any person to hire such carriage and shall not make use of the services of another person for the purpose

9. A proprietor or driver of a Hackney Carriage, shall not place or suffer to be placed any printed, written or other matter by way of advertisement on any part of the carriage except with the consent of the Council

10. 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

11. The driver of a Hackney Carriage shall not at any time while driving on hire, smoke any tobacco or like substance, or play a wireless set, except with the consent of the hirer

12. 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 carriage at such appointed time and place

13. The driver of a Hackney Carriage when hired to drive to a particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route

14. A proprietor or driver of a Hackney Carriage shall not convey or permit to be conveyed in such a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage

15. 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 a position and manner as to be plainly visible

16. The driver of a Hackney Carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage :-

- a) convey a reasonable quantity of luggage
- b) afford reasonable assistance in loading and unloading
- c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which he may take up or set down such a person

**Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing of charges to be in respect thereof:**

17. 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

18. 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 a Police station within the district and leave it in the custody of the officer in charge of the station on his giving receipt for it

b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to 5 pence in the pound of its estimated value (or the fare for the distance from the place of finding to the police station, whichever be the greater) but not more than 5 pounds

19. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds and fifty pounds for a second or subsequent offence