

## **BYELAWS**

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Council of the Borough of Hyndburn with respect to hackney carriages in the Borough of Hyndburn.

### **1. Interpretation**

Throughout these byelaws “the Council” means the Council of the Borough of Hyndburn and “the district” means the Borough of Hyndburn.

### **2. Licence Plate**

The proprietor or driver of a hackney carriage shall:-

- (a) not wilfully or negligently cause or suffer any licence plate issued by the Council to be concealed from public view while the carriage is standing or plying for hire;
- (b) not cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

### **3. Condition and Furnishings of Hackney Carriages**

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 water-tight;
- (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
- (d) cause the seats to be properly cushioned or covered;
- (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
- (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
- (h) provide and maintain in the vehicle at all times when it is in use or available for hire, a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a

position in the vehicle as to be readily visible and available for immediate use in an emergency.

#### **4. Use of Taximeter**

- (a) The driver of a hackney carriage shall make use of the taximeter as follows:-
- (i) as soon as the hirer commences his journey the driver shall bring the machinery of the taximeter into action by moving the key, flag or other device, so that the word "HIRED" is legible on the face on the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
  - (ii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness this being the time between half-an-hour after sunset to half an hour before sunrise and also at any other time at the request of the hirer.
- (b) The driver shall not cause the fare recorded on the taximeter to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare unless credit is to be given.

#### **5. Interference with equipment**

The driver of a hackney carriage shall not tamper with or permit any person to tamper with, any taximeter with which the vehicle is provided, with the fittings thereof, or with the seals affixed thereto, nor with any other equipment attached to or forming part of the vehicle.

#### **6. Advertisements etc.**

- (a) The 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 vehicle except with the written consent of the Council.
- (b) The Council will permit advertising on 'purpose built Hackney Carriage Vehicles' only, other than the following goods or services:
- (i) Tobacco companies or tobacco product advertising
  - (ii) Alcohol or drug related advertising
  - (iii) Political advertising
  - (iv) Betting or gaming advertising
  - (v) Sexual or racially offensive advertising
  - (vi) Hire and recruitment of Hackney and Private Hire Drivers

## **7. Use of Stands**

The 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 appointed by the Council;
- (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 the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and 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. Importuning**

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 any other person for the purpose.

## **9. Conduct of Driver**

The driver shall:-

- (a) at all times behave in a civil and orderly manner and take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
- (b) not without the express consent of the hirer smoke, drink or eat in the vehicle;
- (c) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
- (d) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

## **10. Prompt Attendance**

The driver of a hackney carriage shall, if he is aware that the vehicle has been hired to be in attendance at any appointed time and place or he has otherwise been instructed by the

operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that time and place, unless delayed or prevented by sufficient cause.

#### **11. Passengers**

- (a) The driver shall not convey or permit to be conveyed in a hackney carriage a greater number of persons than that prescribed in the licence for the vehicle, provided however that for this purpose two children below the age of ten years may be counted as one person insofar as the rear seating only is concerned;
- (b) The driver shall not allow there to be conveyed in the front of a hackney carriage:-
  - (i) any child below the age of ten years; or
  - (ii) more than one person above that age.

#### **12. Driver's badge**

The driver's badge provided by the Council shall be worn by the driver of a hackney carriage in such position and manner as to be plainly visible.

#### **13. Assistance with luggage**

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

- (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.

#### **14. Lost Property**

The driver of a hackney carriage shall:-

- (a) immediately after the termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein;
- (b) if any property accidentally left therein by any person who may have been conveyed in the vehicle be found by or handed to him 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 where he should report it to the officer in charge of the station.

**15. Copy of Byelaws**

The driver shall at all times when driving a hackney carriage carry with him a copy of these byelaws and shall make them available for inspection by the hirer or any other passenger on request.

**16. Written receipts**

The driver shall, if requested by the hirer of a hackney carriage provide him with a written receipt for the fare paid.

**17. Animals**

- (a) The driver shall not convey in a hackney carriage any animal belonging to or in the custody of himself or the proprietor or operator of the vehicle. Any animals belonging to or in the custody of any passenger which is conveyed in the vehicle shall only be conveyed in the rear of the vehicle.
- (b) The driver of a hackney carriage shall, when requested by any person hiring or seeking to hire the carriage, carry a guide dog accompanying a visually handicapped passenger.

**18. Rates or Fares**

The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed for the time being by the Council, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time. Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter save for any extra charges detailed in the fare table which it may not be possible to record on the face of the taximeter.

**19. Statement of Fares**

- (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council in the form issued by the Council to be exhibited inside the carriage;
- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

## **20. Penalties**

Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefor.