

## **VEHICLE SPECIFICATIONS**

### **1 Introduction**

- 1.1 This appendix sets out the minimum physical and design specifications that Hertsmere Borough Council expects vehicles licensed for hire or reward to meet. An application for hackney carriage or private hire vehicle licence shall not be granted in respect to a vehicle that does not meet the specifications set out in this appendix. Once licensed, a vehicle shall be conditioned to continue to meet these specifications at all times.
- 1.2 Vehicles must be of the manufacturers' original specification, construction and design unless a proprietor can evidence that any modifications made have been carried out to the relevant legal safety standards stated below.
- 1.3 The Vehicle must be maintained to all relevant statutory requirements applicable to the class of vehicle to which it belongs including the Motor Vehicle (Construction and Use) Regulations 1986 and not have any damage affecting the structural safety of the vehicle. In addition to the requirements of this appendix a vehicle must also comply with any other legal requirement relating to the construction and use of the vehicle and any other requirement of this Policy or Council byelaws.

### **2 Conditional Licensed vehicle specifications**

- 2.1 Vehicles licensed by the Council must be certified by the Vehicle Certification Agency (VCA) and be of M1 classification. This will require compliance with:
- (1) The Motor Vehicle (Type Approval) Regulations 1980 (European Community Whole Vehicle Type Approval);
  - (2) The Motor Vehicle (Type Approval) Regulations 1984 (United Kingdom Low Volume Type Approval),
  - (3) The Road Vehicles (Construction and Use) Regulations 1986.
- 2.2 Motor vehicles with M1 type approval (European Community Whole Vehicle Type Approval) which have subsequently been modified or altered since manufacture must be presented with:
- (1) United Kingdom Low Volume / Small Series Type Approval for Passengers Cars; or
  - (2) United Kingdom Single Vehicle Type Approval
- 2.3 United Kingdom Single Vehicle Type Approval will not be accepted where the seats belts fitted to the vehicle are:
- i) not those fitted by the manufacturer and tested in accordance with the vehicle's original type approval, or
  - ii) where the vehicle has been fitted with seating / wheelchair tracking which may invalidate the original type approval for any seats fitted to the vehicle, except where evidence is produced by the applicant(s) that this is not the case.

- 2.4 Vehicles that do not meet the above will only be considered suitable for a licence if the proprietor can satisfy the Council that the vehicle meets, or has a vehicle approval equivalent to, the above standards. The proprietor shall be required to pay for any additional report or inspection that the Council may reasonably require to achieve this.
- 2.5 Should any of the above standards cease to be recognised in UK law any equivalent vehicle approval system replacing them shall be accepted as compliant with this part, subject to any further change made to this appendix by the Council.
- 2.6 Once licensed, no material alterations or changes in the specification, design, condition or appearance of the vehicle may be made without the approval of the Council. Approval will not be given where the vehicle does not comply with any of the requirements set out above.
- 2.7 A vehicle that has been written off by an insurance company will not be licensed by the Council save for where the vehicle is already licensed by the Council and it is a category “N” (non-structural damage) write off and the proprietor can provide evidence of the damage and standard of repair. A vehicle written off whilst holding a licence must undergo an additional MOT before it is permitted to continue to operate.

### **3 Standard Vehicle Requirements**

#### **3.1 All vehicles must:**

1. Be for the Carriage of at least 4 and no more than 8 passengers.
2. Have a seatbelt for each passenger that can be seated in the vehicle.
3. Have a current and valid MOT certificate.
4. Have windows to the side and rear providing natural light and ventilation to the passenger compartment.
5. Provide sufficient means by which any person in the vehicle may communicate with the driver.
6. Have reasonable and sufficient luggage space for the maximum number of passengers that the vehicle is licensed for and which is physically separated from the passenger seating.
7. Not be convertible.
8. Not be left-hand drive.
9. Be within the requirements of the Council’s Licensed Vehicle Age Policy (below).

### **4 Vehicle Type and Colour**

#### **4.1 An application for a new hackney carriage licence can only be made in respect of a vehicle which is either:**

- i) a “London TX Style” type, purpose-built wheelchair accessible hackney carriage in **any colour** of the original manufacturer’s specification, or
- ii) a wheelchair accessible vehicle **black** in colour approved by the Council;

4.2 All Hackney Carriages must comply with the requirements of the Hertsmere Borough Council Byelaws contained in Appendix I.

4.3 For the purpose of this Policy, a “new” application means any application in respect to a vehicle which does not already hold a licence granted by the Council at the time of application.

## **5 Vehicle Age, Mileage and MOT testing frequency**

5.1 All new vehicles presented for licensing must meet the following requirements:

- i) Be no older than 6 years of age at the time of application and;
- ii) Be Euro 6 compliant

5.2 Once licensed a vehicle may continue to be renewed until the age of 8 years.

5.3 Notwithstanding the above a proprietor may make a separate “age exemption” application, and pay any additional extra fee that the Council may require, to licence, or renew a licence, in respect to a vehicle that does not meet the relevant age requirements if the proprietor believes exceptional circumstances relevant to the vehicle exist which the Council should consider.

5.4 In considering whether to depart from its policy on the age of vehicles, Officers will check the history of the vehicle, its previous MOT history, service history, mileage and any enforcement action previously taken. The vehicle shall also be required to pass an MOT and compliance test from the Council’s authorised garage.

5.5 Should Council officers consider that the vehicle history is acceptable and the vehicle is in exceptionally good mechanical and bodywork condition, has no cosmetic defects and has been tested by an approved garage, the application to renew may be allowed provided that the vehicle is either:

- i) Euro 6 compliant (including equivalent to, or above);
- ii) Wheelchair Accessible; or
- iii) Subject to exceptional circumstances relevant to the vehicle which means that the vehicle looks, operates and is as safe as a vehicle which would meet the relevant age threshold.

5.6 A vehicle granted a licence following an age exemption application will continue to be licensed until the expiry of its licence or until such time as a mechanical or cosmetic defect is found whereby the vehicle is no longer exceptional. Once a licence has expired, the proprietor may make a further age exemption application.

5.7 The Council will avoid setting an arbitrary mileage limit but shall take into account vehicle mileage when considering if to depart from its policy. A vehicle with mileage in excess of 150,000 miles would be expected to have a full-service history in order to continue to be licensed.

5.8 Notwithstanding the above, it is expected that all vehicles are maintained, serviced and inspected in accordance with the manufacturer’s recommended schedule in terms of both mileage and time elapsed. The service history of a vehicle may be requested by the Council to establish if a vehicle is suitable to be licensed or continue to be licensed. The older a vehicle is the more likely it is that a full-service

history will be required in order to provide sufficient information to the Council to depart from its Policy.

- 5.9 All Vehicles under the age of 4 will require one MOT a year. Vehicles over the age of 8 (if permitted to continue to be licensed) must undergo an MOT every 6 months.
- 5.10 Any vehicle that holds a valid private hire or hackney carriage vehicle licence on the date this policy takes effect will be required to have one MOT test a year until that vehicle reaches the age of 8.
- 5.11 Any vehicle that is subject to a new application after the date this Policy takes effect will be required to undergo an MOT test twice a year once the vehicle is aged 4 years or older.
- 5.12 Where a vehicle is required to have a second MOT the licence holder will be conditioned to do this within 14 days either side of the 6 month anniversary date of the grant of the licence. The requirement for the second MOT will take effect upon the grant of any new, or renewed licence that occurs after the vehicle has reached the relevant age (of either 4 or 8).
- 5.13 The Council reserves the right to request any proprietor to present a new MOT certificate at any time during the period that a vehicle is licensed or, if on the individual merits of an application or enforcement measure, condition a vehicle to be tested twice a year.
- 5.14 Failure to undertake and pass an MOT as required will result in the vehicle licence being suspended. The licence holder will breach their conditions should they use their vehicle for licence purposes at any time when the vehicle does not hold a current and valid MOT or would not pass an MOT. Significant or continuing breaches by a driver, proprietor or operator in respect to passing MOT's on time will result in further enforcement actions.

## **6 Doors, Windows and windscreen**

- 6.1 All vehicles must have a minimum of 4 doors which are capable of being opened from the inside. The rear passenger compartment must have an openable door on either side of the vehicle.
- 6.2 Windows must be provided to all passenger compartments along with adequate means of opening and closing them. There should be at least 1 window on either side of the front driver and passenger compartments and 1 window on either side of the rear passenger compartments.
- 6.3 To comply with the Construction and Use Regulations the front windscreen of the vehicle must have a visual light transmission of 75% and the front side windows of at least 70%. These regulations do not impose any limit on the rear windscreen and rear passenger windows and the Council has discretion whether to permit the rear windows of a vehicle to be tinted.
- 6.4 Tinted windows will not be permitted in a Hackney carriage vehicle due to nature of public hire work and the safety risks arising out of the absence of journey records and the potential limit in a customer's choice over available vehicles.

6.5 Tinted windows will be permitted on a private hire vehicle provided that the windows are those that were fitted to the vehicle at the time of manufacturer.

6.6 Tinted film will not be permitted to be added to a vehicle at any time.

## **7 Tyres**

7.1 Vehicles must be fitted with either all radial or all cross-ply tyres, including the spare wheel, have at least 3mm depth of tread at time of testing.

7.2 Tyres, or parts of a tyre, must be in a safe and suitable condition at all times and with no damage that would be deemed an MOT failure or would present a public safety risk of further deterioration (for example cuts and bulges, foreign bodies in a tyre such as screws; nails etc.)

7.3 Vehicles must carry a suitable spare tyre if the vehicle was designed and manufactured to carry one and the means to change that tyre.

7.4 All tyres, including the spare wheel, must be suitable for use on the vehicle to which the licence or application relates and conform to the requirements of the Original Manufacturers' Specification.

7.5 Run-flat tyres are acceptable on licensed vehicles.

7.6 Space saver tyres or tyre repair kits/ compressor's are acceptable if part of the original design and manufacture of the vehicle but must be kept and maintained in accordance with that manufacturer's specification.

7.7 The use of a run flat tyre (if punctured), a 'space-saver' spare tyre or a tyre repair kit / compressor is permitted strictly to enable a driver to complete a customer's journey and enable the vehicle to be taken to a garage. Use of any of the above methods beyond this is a public safety risk and will attract enforcement action.

## **8 Mirrors**

8.1 The vehicle must be fitted with an internal rear-view mirror and both near and off side door mirrors in accordance with the appropriate legislation and/or manufacturers' specification.

## **9 Interior Dimensions, Seats and Seatbelts**

9.1 Sufficient space between the seat cushions and the lowest part of the roof must be provided to safely accommodate passengers in reasonable comfort. The minimum requirement of this space is 86 centimetres.

9.2 There must be a minimum of 18 centimetres between the back of the front seat and the front of the next row of rear seats to ensure sufficient leg space.

9.3 Passenger seats must be a minimum of 43 centimetres wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle. Measurements are to be taken laterally along the narrowest part of the seat.

9.4 Unless the Original Manufacturers' Specification states otherwise, the front seat of the vehicle next to the driver will be regarded as a seat for 1 passenger only.

9.5 All vehicles must be fitted with fully operational seat belts that are fully compliant with the relevant British Standard. There must be 1 seat belt for each passenger to be carried.

## **10 Fire Extinguishers**

10.1 Licensed vehicles must carry a fire extinguisher suitable for extinguishing vehicle fires (fire class B and C) and conform to BSEN 3, showing the appropriate kite-mark. The date of expiry must be clearly visible on the extinguisher and replaced once expired.

10.2 The extinguisher should be marked with the vehicle registration or Licence Plate number and be securely fixed in a position reasonably accessible to the driver in the event of an emergency.

## **11 First Aid Kit**

11.1 Licensed vehicles must carry a first aid kit meeting the requirements of BS 8599-2 (Medium Motorist First Aid Kit). The kit must be maintained in suitable condition and replenished as necessary and be marked with the vehicle registration or plate number of the vehicle.

11.2 The first aid kit should be stored in such position that is reasonably accessible to the driver to either treat themselves or provide to a passenger to treat themselves.

## **12 Replacement Bulb Kit**

12.1 A suitable replacement bulb kit meeting the vehicle manufacturer's specification must be kept in the vehicle. Once a bulb has been used from the kit it must be replaced as soon as practicable.

## **13 Warning Triangle**

13.1 A suitable warning triangle must be contained in the vehicle and used where necessary in accordance with the Highway code.

## **14 Luggage**

14.1 Adequate storage for passenger luggage must be available. Any luggage carried must be suitably secured in place without obstructing any exits.

14.2 If the licensed vehicle is an estate, hatchback, or multi-passenger type vehicle, the compartment must be fitted with a guard-rail or manufacturer's specification cover to prevent luggage from entering the rear passenger compartment. Exemption from this requirement will only be given where the construction of the vehicle, in the Council's opinion, does not require such a rail or cover.

## **15 Maintenance & Condition of the Vehicle**

15.1 The exterior of all licensed vehicles shall be maintained in a clean and safe condition at all times. In particular, the exterior of the vehicle shall:

- (1) be free of dents;
- (2) be free of visible rust;
- (3) be free of unrepaired accident damage;
- (4) have uniform paintwork equivalent to that applied by the manufacturer;
- (5) be maintained in an acceptable state of cleanliness,

15.2 The interior of all licensed vehicles shall be maintained in a clean and safe condition at all times. In particular, the interior of the vehicle shall:

- (1) be free of all stains to the upholstery,
- (2) be free of all splits and tears to the upholstery,
- (3) be maintained in an acceptable state of cleanliness, and
- (4) provide seats functioning in accordance with the Original Manufacturers' Specification.
- (5) All lights, doors, door locks, boot / tail gate and locks, bonnet, hinges and catches, windows, sunroofs and hoods should be operating correctly

## **16 Safety Screens**

- 16.1 A safety screen is permitted to be installed provided it is done so to the satisfaction of the Council. A request should be made to the Council prior to the installation of the screen.
- 16.2 Sufficient means must continue be provided by which any person in the vehicle may communicate with the driver.

## **17 Communication Devices**

- 17.1 Only one approved licensed two-way radio may be operational in the vehicle at any one time and shall be used exclusively for the hackney carriage or private hire vehicle.
- 17.2 Two-way radio equipment must be of a type currently approved by the Radio Communications Agency and securely and safely fitted in accordance with any published guidance and in such manner that does not risk the safety of the driver or passengers.
- 17.3 The use of a Citizen Band (CB) transmitter or receiver or radio scanning devices are prohibited and must not be fitted or carried in the vehicle.

## **18 Meters**

- 18.1 Private hire vehicles are not required to be fitted with a taximeter. However where a taximeter or other device for recording fares is fitted, the type of meter, its installation and calibration, must be approved by the Council.
- 18.2 A meter complying with the Council bye-laws must be fitted in all hackney carriages correctly calibrated to the current Council approved fare structure, sealed appropriately in compliance with The Measuring Instruments (Taximeters) Regulations 2006.

- 18.3 Bye-laws require the taximeter to be brought into operation at the commencement of a journey and any outward sign reading “taxi” or “for hire” will be turned off. The meter must be clearly visible to passengers inside the vehicle and the figures displayed on the meter shall be legible and properly illuminated at all times when the vehicle is hired.
- 18.4 The Council’s fare tariff shall be clearly displayed and legible in the vehicle so as to be plainly visible to passengers carried therein.

## **19 Trailers**

- 19.1 Trailers may only be used if approved by the Council following an application request from a licence holder.
- 19.2 The trailer must comply with all the Road Vehicles (Construction and Use) Regulations 1986 and any other applicable legislation as assessed by the Council’s nominated garage and any inspection required by the Council.
- 19.3 A suitable lid or other approved means of enclosure must be fitted to secure and cover the contents of the trailer whenever in use.
- 19.4 The vehicle’s insurance must include cover for towing a trailer and the Council must be satisfied that the DVLA driving licence authorises the driver to drive a vehicle towing a trailer.
- 19.5 Trailers must display an identical Licence Plate to the licensed vehicle. The Council will charge an administrative fee for the duplicate plate as well as the application.
- 19.6 Trailers will not be permitted on a hackney carriage rank and approval will not normally be given to a hackney carriage unless the Council is satisfied that the trailer will only be used for specific pre-booked journeys and it is reasonable for a trailer to be used.

## **20 Wheelchair Accessible Vehicles**

- 20.1 Wheelchair accessible vehicles must be manufactured or adapted to carry at least one wheelchair passenger whilst the passenger is seated in the wheelchair.
- 20.2 Loading of the wheelchair may be from the side or from the rear.
- 20.3 There must be sufficient space between the front of the rear seat and any partition for an occupied wheelchair to turn and sufficient space for a wheelchair to travel facing forward or rearward.
- 20.4 Access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus
- 20.5 The vehicle must have appropriate wheelchair tie down and occupant restraint system (WTORS) fitted to it in order to secure the wheelchair and ensure the safety of the passenger.

- 20.6 Wheelchair internal anchorage and WTORS must be of the manufacturer's design and construction and secured in such a position so as not to obstruct any emergency exit.
- 20.7 Wheelchair internal anchorage and WTORS must be installed and fitted by a competent person able to verify in a professional capacity that it has been fitted in accordance with all relevant legislative safety standards and requirements and that it complies with The Road Vehicles (Construction and Use Regulations) 1986.
- 20.8 Access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper.
- 20.9 Ramps and lifts must be securely stored in the vehicle before it may move.
- 20.10 Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998. Any such equipment must be maintained in good working order and be available for use at all times.
- 20.11 Where a vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure all drivers have undertaken an enhanced practical driving test which includes how to load, secure and unload a wheelchair safely.

## **21 Vehicles Powered by Liquid Petroleum Gas (LPG)**

- 21.1 An applicant for a licence in respect to a vehicle that has been converted to run on LPG is required to produce a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle.
- 21.2 If a vehicle has been converted and an LPG fuel tank has been placed in the boot space there must still be enough available space in order to carry a reasonable amount of luggage.
- 21.3 If the removal of the spare wheel has taken place this must be relocated to a location that is not in the passenger carrying area of the vehicle. If the vehicle is unable to carry a spare wheel the Council may permit a suitable tyre repair kit / compressor to be carried within the vehicle or for the vehicle to be fitted with 'run flat' tyres.

## **22 Insurance**

- 22.1 The proprietor of a licensed vehicle shall ensure that an insurance policy complying with the requirements of Part VII of the Road Traffic Act 1988 is in place at all times that the vehicle is licensed and available for the carrying of passengers.
- 22.2 A certificate of insurance that names a driver who does not hold a valid hackney carriage or private hire driver licence (as appropriate) for the vehicle will not be accepted.
- 22.3 Where the Council is not satisfied that appropriate insurance is in place the vehicle licence shall not be granted or be suspended.

## **23 Changes to Vehicle**

- 23.1 Any change affecting a licensed vehicle must be notified to the Licensing Officer within 7 days of such change occurring.

## **24 Change in ownership**

- 24.1 Licences shall be conditioned to lapse 14 days after the proprietor's interest in a vehicle is transferred. The licensed plates must be removed returned to the council.
- 24.2 If the vehicle has been transferred to another person who wishes to continue to use the vehicle as a licensed vehicle, they may request that the licence is transferred by the Council to them.
- 24.3 This must be done within 14 days of the date of the transfer otherwise the licence will lapse.
- 24.4 The applicant shall need to provide evidence that they are now the owner of the vehicle by presenting the new keeper supplement or bill of sale, along with the means for the Council to check their suitability.
- 24.5 Unless the applicant is also a licensed driver the vehicle cannot be driven by the applicant until the licence is transferred by the Council.

## **25 Substitution of vehicle and Hire Vehicles**

- 25.1 A proprietor may decide that they no longer wish to use their currently licensed vehicle for hire purposes and instead use another vehicle. However, a licence is granted to a proprietor in respect to a specific vehicle and cannot be carried across or swapped to another vehicle, even if that other vehicle is owned by the same proprietor.
- 25.2 The proprietor must apply to licence the new vehicle separately and this can often result in perceived unfairness to a proprietor who has paid a licence fee and not had the full use of their licence. Proprietors are encouraged to plan any change in vehicle to coincide with the expiry of an existing vehicle licence to avoid this.
- 25.3 However, there are occasions where a proprietor wishes to change their vehicle in circumstances which they could not plan for – for instance where their licensed vehicle has been damaged in accident and cannot be repaired.
- 25.4 In such instances, where a proprietor is surrendering a vehicle licence (the old vehicle) but requesting the grant of a new vehicle licence (new vehicle), the proprietor may request that any portion of the enforcement fees previously levied by the Council are carried over to the new vehicle and, the cost of the new licence reduced accordingly. This “portion” will be calculated by the Council when setting its licence fees.
- 25.5 Where a proprietor needs to use a vehicle provided by an insurance company, for instance whilst their vehicle is being repaired following an accident, the temporary hire vehicle will still require a licence.

25.6 The administration of a licence application for a 'temporary hire vehicle' is largely the same as that of any other licensed vehicle application. However, when setting its fees, the Council will take into the account the fact that when licensing a temporary hire vehicle, it has already made a charge for certain administrative functions that it may not need to undertake again. Additionally in order to reduce the fee payable, the Council may permit the grant of a licence for a significantly short term such as one month.