

### Hackney carriages

43. A hackney carriage is a public transport vehicle which is licensed to ply for hire. It is unlawful for a vehicle to be used for the carriage of passengers for immediate hire until such time as a hackney carriage licence is issued in respect of the vehicle<sup>5</sup>.
44. The maximum number of passengers that can be carried in a vehicle for it to be capable of being licensed as a hackney carriage is eight<sup>6</sup>.
45. A vehicle licensed as a hackney carriage continues to be a hackney carriage at all times and anyone driving the vehicle needs a hackney carriage driver licence<sup>7</sup>. The only exception to this general rule is for a person driving a hackney carriage in connection with any test of the mechanical condition of the vehicle or its meter<sup>8</sup>.
46. All hackney carriages must be intended for use predominantly, or entirely, within North Yorkshire<sup>9</sup>.

### Hackney carriage vehicle specification

47. The licensing authority will only generally issue a licence in respect of a hackney carriage vehicle if:
  - It is fit for its purpose, safe and comfortable for its users and any members of the public;
  - It has not been subject to a Category A, B or S insurance write-off;
  - It is less than 10 years old (the age of the vehicle shall be taken from the date of first registration shown on the vehicle registration document, V5C). The policy with regards to vehicle specification shall be applied in the majority of cases when considering licensing applications, but the licensing authority will consider each application on its individual merits and may, at times, allow exceptions to this policy. Where exceptions are made in this regard, vehicles shall be subject to three mechanical inspections each year;
  - It has
    - a front nearside door for the use of persons conveyed in the vehicle;
    - a rear nearside door for the use of persons conveyed in the vehicle;
    - a rear offside door for the use of persons conveyed in the vehicle; and
    - a separate means of ingress and egress for the driver.
  - The front windscreen allows at least 75% of light through and the front side windows allow at least 70% of light through<sup>10</sup>;
  - It has nearside and offside exterior rear-view mirrors;
  - A spare wheel conforming to legal requirements has been provided and properly fitted in the vehicle along with a jack and wheelbrace, unless a manufacturer's alternative is provided;
  - It is equipped with a minimum of four road wheels fitted with manufacturers' recommended size tyres;
  - It has a clean and smart appearance, both externally and internally;

<sup>5</sup> Section 45 of the Town Police Clauses Act 1847

<sup>6</sup> Paragraph 7 of Schedule 1 to the Transport Act 1985

<sup>7</sup> Yates v Gates [1970] 1 All ER 754

<sup>8</sup> Paragraph 3 of Schedule 7 to the Transport Act 1985

<sup>9</sup> R (on the application of Newcastle City Council) v Berwick-upon-Tweed Borough Council [2008] EWHC 2369 (Admin)

<sup>10</sup> Regulation 32(10) of the Road Vehicles (Construction and Use) Regulations 1986

