

NEWCASTLE CITY COUNCIL HACKNEY CARRIAGE BYELAWS

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 City of Newcastle upon Tyne, with respect to hackney carriages in the City of Newcastle upon Tyne.

Interpretation

1. Throughout these byelaws "the Council" means the Council of the City of Newcastle upon Tyne, "the district" means the City of Newcastle upon Tyne and "the 1976 Act" means the Local Government (Miscellaneous Provisions) Act 1976.

Licence Plate

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its licence, shall be displayed.

2. (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
 - i. inside of the carriage; and
 - ii. on a plate affixed to the outside of the carriage in a position approved by the Council.
- (b) A proprietor or driver of a hackney carriage shall: -
 - i. not wilfully or negligently cause or suffer any such number to be not available to, or 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 such painting, marking or plate so defaced or unclean that any figure or material particular is illegible.

Furnishings of Hackney Carriage

Provisions regulating how hackney carriages are to be furnished or provided.

3. Every 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 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 an efficient fire extinguisher of a type approved by the Council which shall be carried in such a position approved by the Council as to be readily available for use;
 - 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;
 - j. ensure that no advertisement is displayed in on or from the carriage unless such advertisement has as regards the product or service advertised and the size, design and position of the advertisement been approved by the Council.

Taximeter

4.
 - i. If the taxi meter is fitted with a flag or other device bearing the words "FOR HIRE": -
 - a. the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;
 - b. when the flag or other device is so locked the machinery of the taxi meter shall not be in action and the means of bringing it in to action shall be by moving the flag or other device so that the words are not conveniently legible;
 - c. when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
 - ii. If the taximeter is not fitted with a flag or other device bearing words "FOR HIRE";
 - a. the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" or other indication that the vehicle has been hired to appear on the face of the taximeter;
 - b. such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter;
 - iii. When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity 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 rate or fare prescribed for the time being by the Council under Section 65 of the 1976 Act;
 - iv. 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;
 - v. The taximeter shall be so placed that all letters and figures on the face thereof may be 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;
 - vi. 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. Every proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say: -
 - a. the sign shall bear the words "FOR HIRE" in plain letters;
 - b. the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Conduct of Driver

Provisions regulating the conduct of the 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.

Use of "FOR HIRE" Sign and of Taximeter

6. Every driver of a hackney carriage shall:
 - i. if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE": -
 - a. when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
 - b. as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible, and keep the machinery of the taximeter in action until the termination of the hiring;
 - ii. if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE": -
 - a. when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible to persons outside the carriage;
 - b. as soon as the carriage is hired whether by distance or by time or at any time when the carriage is not available, operate the said sign so that the words "FOR HIRE" are not conveniently legible to persons outside the carriage;

- c. as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose so the word "HIRED" or other indication that the vehicle has been hired is legible on the face of the taximeter, and keep the machinery of the taximeter in action until the termination of the hiring;
- iii. 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 purpose of the Road Traffic Act 1972 and also at any other time at the request of the hirer.

Improper use of Taximeter

- 7. 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.

Conduct on Ranks

- 8. The driver of a hackney carriage shall, when plying for hire in any street or public place, and not actually hired: -
 - a. proceed with reasonable speed to one of the stands appointed by the Council under section 63 of the 1976 Act;
 - 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, (i) station the carriage in the direction indicated by markings upon the stand and in one of the vacant spaces indicated by such white lines; and, except where the lay-out of the stand prevents, station the carriage immediately behind the carriage or carriages already on the stand and so on as to face in the same direction; (ii) 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; (iii) if such carriage occupies the first or second position on the stand, the driver to remain with the carriage ready to be hired at once;

Punctual Attendance

- 9. The proprietor or driver of a hackney carriage who shall have agreed or shall have 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.

Wearing of Badge

10. If a badge has been provided by the Council and delivered to the driver of a hackney carriage, either with the licence granted to him by the Council or afterwards, he shall, when standing, plying for hire, and when hired wear that badge in such a position and manner as to be plainly and distinctly visible.

Assistance with Luggage

11. Every 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 house, station or place, at which he may take up or set down such person.

Proper Conduct of Driver or Proprietor

12. The proprietor or driver of a hackney carriage shall at all times, when standing, plying for hire and when hired, be of a clean and respectable dress and appearance and conduct himself in an orderly manner, and with civility and propriety towards every person seeking to hire, or hiring or being conveyed in such carriage; and shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.

Deceased Person

13. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall immediately thereafter notify the fact to the Council's Director of Environmental Health.

Driver or Proprietor not to Canvass for Employment

14. A driver or proprietor 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.

Number of Passengers

15. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than has been specified by the Council which number shall be legibly marked or painted on the plates required by Byelaw 2(a). For the purpose of this byelaw two children each under the age of 12 years shall be treated as one person, provided that no more than four such children shall be so treated for the purpose of one journey.
16. Every driver of a hackney carriage shall at all times when standing, plying or driving for hire when required by any police constable, any authorised officer of the Council or any person hiring such carriage produce a copy of these bylaws for the perusal and inspection of such constable or person.

Rate of Fare

Provisions relating to the rates of fares, for time as well as for distance, to be paid for hackney carriages within the district, and securing the due publication of such fares.

17. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate of fare prescribed for the time being by the Council under Section 65 of the 1976 Act, the rate of fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time, when the rate of fare shall be calculated 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 which shall include all applicable extra charges authorised by the Council under Section 65 of the 1976 Act.

18.
 1. The proprietor of a hackney carriage shall: -
 - a. cause a statement of the fares prescribed for the time being by the Council under Section 65 of the 1976 Act to be painted or marked on the side of the interior of the carriage or on a plate affixed thereto, in clearly distinguishable letters and figures in a position where such statement shall be visible to all passengers in the carriage;
 - b. cause such statement to be in clearly distinguishable letters and figures and to renew such letters and figures as often as is necessary to keep them clearly visible;
 2. 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 letter or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.
 3. The proprietor or driver shall not cause or permit any tariff card or scale of charges other than that referred to in Byelaw 18(1) to be displayed in or on the hackney carriage.

Property Left in Carriage

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

19. The Proprietor or driver of a hackney carriage shall, immediately after the termination of any hiring or as soon as practicable thereafter and before the next hiring carefully search the carriage for any property which may have been accidentally left therein.
20. The proprietor or driver of a hackney carriage shall, if any property accidentally left herein by any person who may have been conveyed in the carriage be found by or handed to him:
 - i. carry it within twenty-four hours, if not sooner claimed by or on behalf of its owner, to the Lost Property Office, Police headquarters, Newcastle upon Tyne and either leave it in the custody of the officer in charge of the office on his giving a receipt for it or comply with such other reasonable directions as to the property given by such officer;
 - ii. be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Lost Property Office, whichever be the greater) but not more than five pounds.

Penalties

21. The byelaws relating to hackney carriages which were made by the Council on the 26th Day of November 1974 and which were confirmed by One of Her Majesty's Principal Secretaries of State on the 10th day of January 1975 are hereby repealed.