

This is the Schedule referred to in the foregoing taxi operator's licence issued by the Moray Council.

SCHEDULE

CONDITIONS APPLICABLE TO A TAXI OPERATOR'S LICENCE

- ♦ ***THE LIST OF CONDITIONS BELOW MUST BE FOLLOWED BY YOU WHEN YOU ARE OPERATING A TAXI.***
- ♦ ***KEEP THEM IN A PLACE WHERE YOU CAN EASILY FIND THEM, TO REMIND YOURSELF OF THE RULES THAT APPLY WHILST YOU HOLD YOUR LICENCE.***
- ♦ ***FAILURE TO FOLLOW THEM CAN HAVE SERIOUS CONSEQUENCES – YOU MIGHT HAVE YOUR LICENCE TAKEN AWAY OR YOU MAY BE PROSECUTED IN COURT.***

Vehicle Condition, Inspections and Testing

1. You must ensure that the taxi, including all bodywork, upholstery and fittings, is in a safe and serviceable condition and, subject to the prevailing road conditions, is in a clean condition. The bodywork, bonnet and wings must be free from any dents or other irregularities, properly painted or cellulosized and the paintwork properly smoothed down and finished.
2. At the request of the Licensing Authority or its agents you must make any repairs as may be deemed necessary to bring the vehicle up to a reasonable standard within such time as may be specified in writing.
3. The licence holder is subject to and shall comply with the Licensing Authority's Vehicle Inspection and Testing Policy or Policies as published from time to time.
4. You must ensure that your vehicle undergoes an inspection by the Licensing Authority at six monthly intervals (calculated from the date when the last test was carried out). You must not operate your vehicle without a current mechanical inspection certificate issued by the Licensing Authority.
5. You must, on demand by the Licensing Authority or its agents, make available for perusal or examination as necessary any or all of the following :-
 - the vehicle for examination at such time and place as may be reasonably required by the Licensing Authority or their agents, such examination to take place at the Authority's expense;
 - satisfactory evidence of the existence of policies of insurance applicable to the vehicle and their terms within three days of receiving such a response;
 - the vehicle's registration documents; and
 - any other document or article relating to the operation of the vehicle or its driver. This should include keeping a log of which drivers have been driving the vehicle on any given hirewebsite
6. When your vehicle is presented for examination with a view to the grant of your licence or for inspection at six monthly intervals, you must ensure that the bodywork and passenger accommodation of the vehicle are clean and that the underside of the vehicle is free from road dirt, excess oil and grease.

7. You must pay in advance the charge fixed by the Licensing Authority in respect of any examination or re-examination of the vehicle or any testing, sealing or re-sealing of the taximeter.

Accident Damage

8. If the taxi is damaged in a vehicular accident or by any other means, you must report the damage to the Licensing Authority in writing as soon as practicable.
9. If the taxi is roadworthy, you must present it for examination to the Licensing Authority at the Vehicle Testing Station nominated by them either immediately or on the next working day (being a day on which the Vehicle Testing Station is open) after the damage took place.
10. Such repairs as are indicated by the operator of the Testing Station shall be carried out to the taxi as soon as is practicably possible and the taxi shall thereafter be submitted for re-examination.
11. No vehicle shall continue to be used as a taxi after an accident without the express permission of the Licensing Authority.

Withdrawal from service

12. When a licensed taxi is withdrawn from service by the Licensing Authority, or by a Constable these rules apply:
- The Licensing Authority or Constable will place a notice within the passenger compartment of the vehicle indicating that it is meantime certified as unfit for public use and showing the date of its withdrawal from service.
 - This notice shall have the effect of suspending your licence and shall only be removed on the authority of the Licensing Authority or a Constable.

Duties towards Drivers

13. You must not ask the driver of a taxi to do anything which could result in him/her committing a breach of the conditions attached to their licence.
14. You must keep an up-to-date list of the names and addresses of all taxi drivers employed by you.

Duties towards Passengers

15. You must fulfil a booking to hire your taxi which you have accepted, at the time and location specified, unless prevented by sufficient cause.

Insurance Provisions

16. You must hold, **in your own name**, in relation to the taxi, the following
- the vehicle registration document;
 - and the certificate of insurance in relation to the taxi required by Part VI of the Road Traffic Act 1988.
17. Where more than one name appears on the taxi licence, the vehicle registration document and the certificate of insurance shall be in at least one of those names.
18. If, at any time during the currency of the licence, the vehicle registration document or certificate of insurance is no longer in the name of the licence holder, the licence shall be null and void with immediate effect.
19. You must ensure that the taxi is adequately insured, including passenger insurance, at all times. If at any time the insurance cover expires, either in whole or in part, you must immediately inform the Licensing Authority in writing of this fact. Unless otherwise advised in writing by the Licensing Authority, you must not use the taxi as such until appropriate insurance cover has been

obtained and the Licensing Authority advised.

20. You must ensure that the self adhesive roundel supplied by or on behalf of the Licensing Authority is affixed to the rear of the Excise Licence holder on the windscreen of the vehicle. The roundel shall give the expiry date of the vehicle insurance and such other information as the Licensing Authority reasonably requires. No licensed vehicle shall operate without a current roundel being displayed.

Taxi Plates

21. You must ensure that while the vehicle is in use as a taxi, any plates or other devices which have been issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi are displayed at all times in positions approved by the Licensing Authority.
22. You must not obliterate or deface any plate or other device which has been issued by the Licensing Authority for the purpose of indicating that the vehicle is a taxi and which is fitted to the taxi. If any such plate or other device become obliterated or defaced so as not to be distinctly visible or legible or if any such plate or other device is lost, you must report this to the Licensing Authority as soon as possible. A replacement plate or other device must be obtained from the Licensing Authority.

Taxi Fares/Charges

23. You must obtain from the Licensing Authority a notice detailing the approved maximum taxi fares and charges appropriate to the exclusive or to the shared hire of the taxi. You must display the notice in the passenger compartment of the taxi in such a position that it will be readily visible to the passengers being carried. No other table of fares and charges will be displayed other than any fare table in respect of the use of the taxi as a taxi-bus.
24. If the cost of the journey is not regulated by a Licensing Authority fare structure and if the taxi is not being used as a taxi-bus, you must take steps to ensure that any potential hirer of your taxi is informed, prior to acceptance of the hire:
 - (a) that the fare is not so regulated; and
 - (b) the cost or intended method of calculating the cost, of the proposed journey.
25. In the event of a taxi becoming unfit for any reason during the course of a hire with the result that it cannot convey the hirer to the destination for which it was engaged, no fare may be charged for the distance already travelled. If the hirer chooses to wait until repairs are completed, or to use a substitute taxi provided within a reasonable time, the full fare for the completed journey shall be due less the amount of fare chargeable for waiting.

Taxi Meters

26. You must have affixed to the taxi only a taxi meter which has been approved by the Licensing Authority as appropriate to the type of hire (whether exclusive or shared) for which the taxi is available. This condition shall not apply to any taxi while it is in use as a taxi-bus.
27. You must not use, nor cause nor permit to be used, on a taxi a road wheel or tyre of a different circumference from that for which the taxi meter affixed to the taxi was designed and geared and which has been tested by the Licensing Authority.
28. You must only use a taxi meter which has been stamped or sealed by the Licensing Authority after testing and approval as to distance and time in accordance with the approved table of fares and charges. Once a taxi meter is fitted to your taxi you must not tamper with it or break or tamper with any seal or stamp on it or any attachment affixed to it by the manufacturer or Licensing Authority except to remove it for repair or replacement. Should the seal be broken the taxi meter shall be re-tested and passed by or on behalf of the Licensing Authority before being used again.

29. You must ensure that the taxi meter is in a position approved by the Licensing Authority and is illuminated to display the amount of fare recorded to the passenger when necessary.
30. You must not use the taxi, nor cause nor permit it to be used, other than as a taxi-bus, while the seals affixed to the taxi meter are broken or detached.
31. You must not knowingly use, nor cause nor permit to be used, a taxi meter which is in any way defective.

Advertising

32. Subject to the remaining provisions of this section, advertising is permitted on/in all taxis/private hire cars both in terms of advertising the vehicle as a taxi or private hire vehicle and/or advertising the products or services of others.
33. You must not display any advertising on your vehicle other than those approved **in advance** by the Licensing Authority. You must comply with the Licensing Authority's Policy on Advertising published from time to time which may include submission of a drawing /mock up of any proposed advertising to the Licensing Authority for approval, taking into account matters such as the following:
 - (i) Advertisements must in no way obstruct or restrict the view of the driver, passengers or the public into or out of the vehicle, or obscure any identification plates, notices or roof signs required by the Licensing Authority to be displayed on the vehicle. Advertisements must not be placed on any window of the vehicle.
 - (ii) Advertisements regarding alcoholic liquor and tobacco products, sexual services, any service considered to be illegal or immoral and anything considered to be political or religious will not be permitted.
 - (iii) Wheel hub advertising is permitted, however, these must be securely fitted and comply with the requirements of the Licensing Authority or its agents.
 - (iv) Advertisements are permitted internally, but must in no way obstruct the driver's view or hinder the opening and closing of the rear passenger doors.

Roof Signs

34. You must display upon the roof of your taxi a sign in accordance with the following specification for the purpose of identifying the vehicle as a taxi and/or, where appropriate, for identifying that the taxi is available for shared hire:-
 - A white illuminated roof sign either magnetically or rack mounted of a **maximum size** of 36" by 6½" by 6¼" containing a maximum of 4 x 10 watt bulbs. (Specification is a maximum).
 - On the rear of the sign, centrally positioned, may be inserted a telephone number or numbers in black numbering. No other additions are permitted.
 - No additions are permitted on the end of the sign other than the licence number and the number of passengers the vehicle is licensed to carry.
 - If you are a Zone 1 Licence Holder, the front of the sign may display your firm or trading name, subject to the approval of the Licensing Authority, and the words "Elgin Taxi" or "City of Elgin Taxi" all as approved by the Licensing Authority.
 - If you are a Zone 2 Licence Holder, the front of the sign may display your firm or trading name, subject to the approval of the Licensing Authority, and the name of the geographical area where you operate together with the word "Taxi", all as approved by the Licensing Authority.

Taxi-Bus

35. You must, at any time when the taxi is being used as a taxi-bus, cause to be displayed on the taxi, in such a position and in such a form as may be prescribed by the Licensing Authority a notice which indicates that the taxi is being used as a taxi-bus.
36. You must, at any time when the taxi is being used as a taxi-bus, display in the taxi, in such position and in such a form as may be prescribed by the Licensing Authority so that it is clearly legible to passengers, a fare table containing sufficient information to enable a passenger to ascertain the fare for his/her journey or to enable a passenger to ascertain the manner in which that fare is calculated.

Passenger Safety

37. You must ensure that for the purposes of safety there is a distinct separation between the passenger and luggage compartments of the taxi. If the vehicle is of an estate type, you shall have installed a suitable grill or barrier such as to ensure passenger safety.
38. No taxi shall carry a greater number of passengers than it is licensed to carry. The number of passengers a taxi is licensed to carry will be specified on the plate.
39. You must carry, in a suitable fastener in the taxi, a fire extinguisher of a type and in a position approved by the Licensing Authority, which extinguisher shall be maintained in a satisfactory working condition at all times.
40. You must carry in a suitable container an adequately stocked first-aid kit of a specification and in a position approved by the Licensing Authority. You must ensure that the first-aid kit is well stocked at all times.
41. You must ensure that there are appropriate child restraints available in your vehicle.

Plying for Hire

42. You must not cause or permit your taxi to stand or ply for hire during any period it does not comply with the provision of Condition 1 above (Vehicle Conditions).
43. You must ensure that your taxi only operates and/or plies for hire in the zone for which it is licensed.
44. You must ensure that, when your taxi is available for hire, it displays an illuminated roof sign to that effect.

Advice Notes

45. You must comply with all official Advice Notes issued from time to time by the Licensing Authority and properly notified to you.

Definitions

46. In these conditions, what we mean when we say:-

"exclusive hire" is a single fare payable by any one passenger, whether or not more than one passenger is carried; and

"shared hire" is..... where each passenger is carried at a separate fare, payable to the driver; and

"taxi-bus" is..... a taxi which is being used, under a special licence granted under Section 12 of

the Transport Act 1985, to provide a local service which is or required to be registered under Part 1 of the Act, has been previously advertised and which has a destination and route which are not entirely at the discretion of the passengers; and

"certificate of insurance" relates to a bona fide Certificate as such and not to a "cover note". A "cover note" shall only be accepted as evidence of satisfactory insurance at the discretion of the Licensing Authority.

The term Licensing Authority means..... a Council constituted under Section 2 of the Local Government Etc (Scotland) Act 1994 and for the purposes of this schedule means the Moray Council and any employee, officer or agent authorised to act for and on it's behalf.

"Zone" means:-

Zone 1 - with reference to the attached plan* (Appendix 1) Zone 1, Elgin is defined as being illustrated by the beginning of the respective 30mph and 40mph limits which surround the city of Elgin.

Zone 2 - with reference to the attached plan* (Appendix 2) Zone 2 is defined as the whole of Moray, under exception of Zone 1 as defined above, being the area of the licensing authority."

* (These are reduced copies of maps. Full size versions can be viewed at the Council Offices during office hours.)

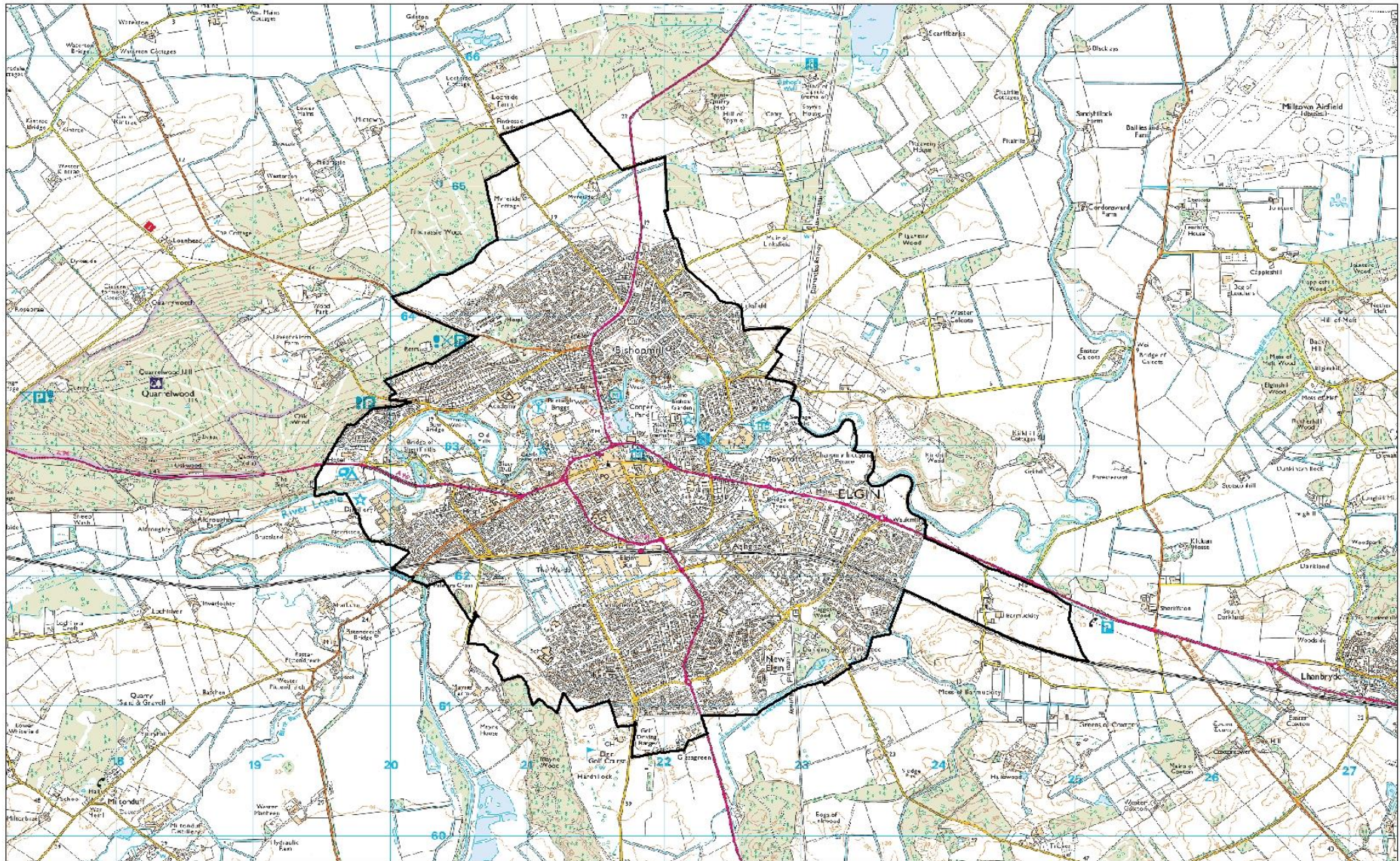


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Moray

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Moray Council

Elgin

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