

REPORT TO: LICENSING COMMITTEE - 23 JANUARY 2013
REPORT ON: REVIEW OF GUIDANCE ON TAXI TEST
REPORT BY: HEAD OF DEMOCRATIC AND LEGAL SERVICES
REPORT NO: 40-2013

1.0 PURPOSE OF REPORT

- 1.1 To advise members as to proposed changes to the Taxi Test guidance following discussions with the Taxi Trade Representatives.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Committee (i) approve the new Guidance and (ii) agree that Test Certificates transfer with the vehicle.

3.0 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications.

4.0 MAIN TEXT

- 4.1 Following discussion at the Taxi Liaison Group a Sub-Group was formed to update the guidance note and produce a draft.
- 4.2 The draft was submitted to the Group on 18th December and a copy of that revised Guidance is attached.
- 4.3 The Group noted that the Sub Group were satisfied that the test was set at an appropriate level and, accordingly, had recommended relatively minor amendments to the guidance. The Group agreed to recommend to the Licensing Committee that the new guidance be adopted as soon as practicable.
- 4.4 It was noted that the guidance on tinted windows may need to be revisited following the outcome of an appeal to the Sheriff by a Taxi Operator.
- 4.5 There was also agreement in principle that the MOT Certificate be replaced with a Certificate of Compliance. This would require an application to be made to the VOSA and would be discussed further at the next meeting of the Taxi Liaison Group.
- 4.6 The Group further agreed to recommend that the previous practice of allowing Test Certificates to transfer with the vehicle be reinstated. This practice had been withdrawn a number of years ago due to the condition of the vehicles concerned at subsequent tests. This was no longer seen as an issue due in part to the age based testing regime.

5.0 POLICY IMPLICATIONS

- 5.1 This report has been screened for any policy implications in respect of sustainability, strategic environmental assessment, anti poverty, equality impact assessment and risk management and there are no major implications.

6.0 CONSULTATIONS

6.1 The Chief Executive and Director of Corporate Services have been consulted.

7.0 BACKGROUND PAPERS

7.1 Current guidance notes on the test of fitness for vehicles to be operated as Taxi or Private Hire Cars.

Roger Mennie
Head of Democratic and Legal Services

DATE: 11th January 2013

APPENDIX



GUIDANCE NOTES ON THE TEST OF FITNESS FOR VEHICLES TO BE OPERATED AS TAXIS OR PRIVATE HIRE CARS INCLUDING SPECIAL EVENTS AND AIRPORT TRANSFER VEHICLES

1. General

- 1.1 The test is required to ensure the licensed vehicle is being maintained to a high standard and is fit for use as a taxi, private hire car, special events or airport transfer vehicle.
- 1.2 Faults identified during the test whether considered serious or not give an indication of the sufficiency of ongoing maintenance and any concerns regarding this will be reported to the Licensing Committee.
- 1.3 The test should not be used to identify faults or as a means to bring the vehicle up to the required standard and do not presume that if the vehicle has or can pass a standard MOT that it will pass the test.
- 1.4 The Committee acting on any report it receives regarding a vehicle's condition may, after deliberation, decide to suspend or not to renew the licence or increase the frequency of testing.
- 1.5 Whilst not always possible, given the nature of the test and its implications, it is preferable that the licence holder personally submits the vehicle for test.

2. Test Bookings

- 2.1 The Council will wherever possible send out test reminders but it is the licence holder's responsibility to ensure the vehicle is presented for test on or before the test expiry date displayed on the taxi/private hire car plate.
- 2.2 Tests are booked directly with the Testing Station and test slots are allocated on a first come first served basis; these should be booked well enough in advance to avoid disappointment particularly during busy test periods.
- 2.3 No charge will be levied for test cancellations providing the Testing Station is given at least 24 hours prior notice, excluding week-ends and public holidays, otherwise the appropriate test fee will be levied.
- 2.4 Be on time, test slot timings are there for a purpose, any delays however minor will affect other licence holders awaiting test.
- 2.5 If likely to be late, contact the Testing Station as they may be able to hold the appointment open for a short period of time (15 minutes maximum) after which the test will be deemed cancelled and the appropriate test fee levied.

3. Cabs Enforcement

- 3.1 Part of the duties of the Cabs Enforcement Officers is to ensure that the Registration Document, Certificate of Insurance and MOT Certificate relating to the vehicle being tested are in order and to assist and advise Testing Station staff as appropriate.
- 3.2 The Officers can instruct that the test not proceed, be stopped during test or the plate not be issued should he have any concerns relating to ownership, documentation or vehicle condition.
- 3.3 Testing staff have a duty to inform the Officers of any concerns relating to the condition of the vehicle being tested and of any other matters which in their judgement affects safety or legal status.

4. Vehicle Preparation and Presentation

- 4.1 Vehicles presented for test should be clean both inside and out and all loose items secured in such a manner so as not to impinge on passenger or driver safety.
- 4.2 Keeping a vehicle clean and tidy is not considered difficult or onerous and testers have the right to refuse to test a vehicle presented in a dirty condition.
- 4.3 Apart from the safety and legal implications, a dirty or untidy vehicle is a breach of licence conditions and the Licensing Committee will act accordingly on any reports it receives of such matters.
- 4.4 Interior mounted equipment, wherever placed, must not interfere with safety device deployment (air bags), impede access and egress or otherwise impinge on passenger and driver safety.
- 4.5 Operators who have been granted a licence variation applying to the vehicle must present correspondence confirming the variation to the testing station at time of test.

5. Quality Control, Training and Complaints

- 5.1 To ensure testing standards are maintained the Testing Station operates a quality control system, tester training programme and complaints procedure all subject to internal and external scrutiny.
- 5.2 In addition enforcement agencies such as the Vehicle Inspectorate (VOSA) and the Police who will investigate and assess testing issues reported directly to them.
- 5.3 All complaints are taken seriously and investigated thoroughly, if upheld appropriate action will be taken to remedy the matter and prevent recurrence.
- 5.4 Testers will explain defects and advise on other areas of concern but any disputes as to test outcomes and failures should be directed to the Assistant Manager (Workshops) in the first instance.

6. Method of Testing

- 6.1 During test the vehicle will be subject to a variety of static and dynamic testing assessments on individual component parts and systems, the test also includes a combined road and meter test.
- 6.2 Testers will, where appropriate, remove items such as mats, covers and wheel trims to gain access to testable items or to assess the extent of any fault found.
- 6.3 All equipment and tools used during the test are specific for that purpose and subject to regular maintenance including calibration and testing where appropriate.

- 6.4 Testers have been instructed to err on the side of safety and should they have any doubts as to a test outcome to seek advice or guidance before reaching a decision.

7. MOT Certificates

- 7.1 All taxis are required to have a current MOT certificate one year following the date of first registration; 3 years for private hire cars.
- 7.2 Although not its main priority, the Testing Station may, if requested, issue an MOT certificate at time of test, but can only do so if the MOT test requirements are met in full.

8. Taxi/Private Hire Car Testable Items (MOT Inspection Manual)

- 8.1 Taxis and private hire cars, including special event vehicles, will be inspected using the current MOT Inspection Manual - Private Passenger and Light Commercial Vehicle Testing (Class 4) with the following reasons for failure:-

8.2 Section 2 - Steering and Suspension Systems

- (a) Any play (wear) on steering and suspension ball-joints (visual/physical).
- (b) Any steering and/or suspension component with structural repair carried out in such a manner as to weaken the component including excessive heat having been applied (visual/physical).
- (c) Any play (wear) on a wheel bearing (visual/physical).
- (d) Any play (wear) on any suspension bush, pin or pivot part (visual/physical).
- (e) Any constant velocity joint gaiter, missing, split or insecurely fitted on to its housing (test as per manual).

8.3 Section 3 - Brakes:

- (a) Rigid brake pipes are free from pitting, wear, cracks, corrosion and damage to any extent (test as per manual).
- (b) An unequal effort on the rear wheels will be calculated as the same as an imbalance on the front brakes (test as per manual).
- (c) The minimum brake efficiencies are (test as per manual):-

Service Brake:	55%
Parking Brake:	18%

8.4 Section 4 - Tyres and Road Wheels

- (a) Both tyres fitted on the same axle must be the same size, type and have the same or similar tread pattern, (visual/physical).
- (b) Tyres must be properly inflated and comply with all legal requirements relating to wheel fitment, condition, damage and wear (visual/physical).

8.5 Section 5 - Seat Belts and Supplementary Restraint Systems

- (a) Any seat belt must be in a safe and serviceable condition (test as per manual).

8.6 Section 6 - Body, Structure and General Items

- (a) Any corrosion on the chassis, sub-frames, floor plans, sills and support structures, including crumple zones, resulting in a hole or weakening of the structure (test as per manual).

8.7 Section 8 - Driver's View of the Road

- (a) No obstruction should encroach more than 40mm (approximately 1.5") into the swept area of the windscreen. This includes any dashboard or interior mounted equipment (test by measurement).

9. Other Testable Items (General)

9.1 The following additional requirements are to be tested by visual and/or physical means and will result in failure:-

- (a) Any prop or drive shaft flexible coupling which is severely cracked or breaking up.
- (b) Engine, gearbox, differential, clutch housing and transmission must be free from oil leaks and clean enough, in the opinion of the tester, to allow inspection.
- (c) Loose or insecure battery.
- (d) All windows must be clean inside and out and where mechanisms are provided be capable of opening and closing.
- (e) All components should be fitted and mounted correctly in a safe and serviceable condition and in accordance with the manufacturer's specification.

10. Other Testable Items (Interior)

10.1 General Condition:

- (a) The interior of the vehicle should be clean, particularly windscreens and windows, with no damaged or loose panels (visual/physical).
- (b) All handles, controls, levers and switches should be in good repair and maintained in a serviceable condition (visual/physical).
- (c) Carpets and car mats should be clean and whole and in a good state of repair (visual/physical).
- (d) All upholstery should be clean, in good repair and whole. Any loose covers should be matching, clean, whole, in good repair and securely fitted (visual/physical).

10.2 Seating:

- (a) The vehicle will be capable of carrying at least 4 seated non-wheelchair passengers and depending on seating arrangements up to a maximum of 8 seated non-wheelchair passengers.
- (b) For the purposes of calculating seating capacity the following criteria will apply:-
 - (i) a separate driver's seat to be provided which will be excluded from the calculation;
 - (ii) one person for each separate individual passenger seat provided (visual/physical);
 - (iii) one person for each complete length of 16" (40cm) for continuous (bench type) seating measured length-wise across the front of the seat (visual/physical/measurement);

- (iv) at least a 2 point adjustable (lap type) seat belt provided for each rearward facing seat and for all inner seats of forward facing continuous seating (visual/physical);
- (v) a maximum of 3 passengers across any row of seating, whether individual or continuous (visual).
- (c) Front passenger seats and seating arrangements must be such that no part of the seat or any passenger occupying it interferes with driving controls or driver position (visual/physical).
- (d) Rear passenger legroom including any third row passenger seating must allow free and easy access and egress to and from seating compartments and must not impinge on passenger safety or comfort when front seats are occupied and adjusted to suit (visual/physical/measurement).

10.3 Interior Light:

- (a) An interior light should be fitted in such a location as to enable passengers to see clearly when paying fare etc (visual).
- (b) The light should be located so as not to impinge on other components fitted, air bag deployment or passenger safety (visual).

10.4 Luggage Space:

- (a) The luggage space must be of such capacity to enable a standard folding type wheelchair or 2 suitcases (minimum dimensions per case 0.76m(w) x 0.21m(d) x 0.51m(h) - 30" x 8.8" x 20") to be easily and securely accommodated (physical).
- (b) Luggage space requirements apply to all vehicles irrespective of type, size, design, layout or function and the space can be split into two or more areas provided the overall requirements can be met (visual/physical/measurement).
- (c) Luggage space should be enclosed but if this is not practical or possible, a grill or other devices capable of separating the luggage space from the cab and passenger areas will require to be fitted (visual/physical).
- (d) The luggage space should be such that any loose items, e.g. groceries, cans, bottles, etc deposited in it must be secure and not encroach into the cab or passenger areas of the vehicle (visual/physical).
- (e) Special events vehicles and private hire cars used exclusively for airport transfers can be exempt from the requirements, provided other safe and secure means of carrying passenger luggage are available, i.e. by roof box or trailer and the vehicle equipped to facilitate this at time of test (visual/physical).

10.5 Fire Extinguisher:

- (a) A fully charged fire extinguisher either CO² or dry powder must at all times be carried in the vehicle in a suitable fastener, properly secured to the vehicle (visual/physical).
- (b) The extinguisher must contain a charge of not less than 682 grammes (1.5lbs) by weight or one litre by volume and be indelibly marked with the taxi licence number (visual).
- (c) Rechargeable types of fire extinguisher must have the next test due by date marked on the outside (visual).

- (d) Disposable types of fire extinguisher will have varying life expectancies dependant on work environment and manufacturers recommendations and it will be the licence holder's responsibility to provide certification or other evidence of ongoing serviceability otherwise a 6 year life rule from date of manufacture will apply (visual/physical).

10.6 Fare Card:

- (a) The current Fare Card must be displayed or be readily available for inspection.

11. Other Testable Items (External)

11.1 General:

- (a) All exterior body fittings, body trims, mirrors, aerials, wipers, bumpers and any accessories must be securely fitted and be in a safe and serviceable condition (visual/physical).
- (b) Mudflaps if fitted must be in pairs on each axle, be whole and in good repair (visual/physical).
- (c) With the exception of alloy wheels, a matching set of wheel trims must be fitted to each vehicle (visual/physical).

11.2 Bodywork and Paintwork:

- (a) The bodywork should be whole, free from dents, pits or rust and in a clean condition (visual).
- (b) The paintwork including any repair should be of a good professional standard, consistent throughout the vehicle, clean and be free from runs, bubbles, streaks, brush strokes and other blemishes (visual).
- (c) Where other body defects which are not dented, pitted or rusted are identified by the examiner i.e. stone chips, scratches etc, the licence holder will be advised that these defects have been noted and if the vehicle is submitted for any subsequent test without remedial action having been taken the vehicle will fail the test (visual).

11.3 Name and Plate Number:

- (a) The licence type and plate number must be painted or adhesive transfer in a straight line in block capital letters not more than 23cm below the outside of the driver and front passenger doors (rear side passenger door in the case of WAV type vehicle(s) (visual/physical).
- (b) The lettering and numbers must be a significantly different colour from ground colour, e.g. black lettering on a white background (visual).
- (c) The letters and numbers must be a minimum of 2.5cm in height and a proportionate breadth (visual/physical).
- (d) Transfer type lettering and numbers are acceptable provided they are properly affixed - Magnetic Lettering and Numbers are not acceptable (visual).

11.4 Taxi/Private Hire Car Plate:

- (a) The taxi/private hire car plate should be affixed to the rear bumper or rear body panel on the nearside of the vehicle (visual).
- (b) The plate should be capable of being easily read and must be undamaged (visual).

- (c) In the case of WAV type vehicles, the plate should be affixed in accordance with the vehicle specification (visual).
- (d) Number plate brackets or similar types of plate holders are acceptable provided these are secure, undamaged and do not obscure or interfere with the plate or vehicle number plate (visual/physical).

11.5 Taxi Sign:

- (a) The taxi sign must be securely fitted to the roof of the vehicle on a suitable and substantial fixed fitting (visual/physical).
- (b) The sign should be white with black lettering to the front bearing the word "TAXI" and red to the rear bearing no wording or the taxi company name and telephone number only (visual).
- (c) Acceptable dimensions are:-

	<u>Length</u>	<u>Height</u>	<u>Depth</u>
Minimum	305mm (12")	100mm (4")	50mm (2")
Maximum	915mm (36")	178mm (7")	153mm (6")

(visual/physical measurement)

- (d) On WAV type vehicles the sign should be of the type indicated by the manufacturer and fixed to the vehicle in accordance with the vehicle specification (visual/physical).

11.6 Private Hire Car Notice:

- (a) The sign approved by the Licensing Committee regarding pre-booking of the vehicle must be displayed on the outside of the driver's and front passenger's door below the lettering referred to at 11.3.

11.7 Advertisements:

- (a) Unless approved by the Licensing Committee there should be no advertisements displayed other than "No Smoking" signs for all vehicles and in respect of private hire cars the pre-booking only sign approved by the Licensing Committee (visual).
- (b) Only those advertisements approved by the Licensing Committee should be displayed and advertisements not approved will result in failure (visual).

11.8 Meter and Road Testing:

- (a) All vehicles used as taxis will undergo a combined meter and road test over a predetermined route from the Testing Station to the meter test markers and return (visual/physical).
- (b) The vehicle is tested under normal road, traffic and driving conditions with no route deviations unless due to unforeseen circumstances, e.g. emergencies, road works, breakdowns, etc.
- (c) The road test will cover the following items to ensure systems and component parts function properly and the vehicle does not display symptoms indicating serious or otherwise undetected faults:-

- (i) Steering - the vehicle does not veer, pull or steer to the left or right when travelling on the straight and the self-centring aspects of the system function properly after steering manoeuvres have been carried out.
- (ii) Suspension - the vehicle does not pitch or roll uncontrollably when driven, braked or steered and the dampening effect of all shock absorbers functions properly. No noises are experienced indicating serious or otherwise undetected system defects.
- (iii) Brakes - the vehicle does not veer or pull to the left or right and the vehicle slows down, pulls up and stops in a straight line when the service brakes are applied. The vehicle is held stationary on parking brake without undue effort being required. No vibration or noises are experienced indicating serious or otherwise undetected system faults.
- (iv) Road Wheels and Tyres - no judders, vibration or noises experienced indicating serious or otherwise undetected defects.
- (v) Transmission and Drive Lines - gear change and selection mechanisms function properly and once engaged no gear jumps out of engagement. No vibration or noises are experienced indicating serious or otherwise undetected transmission or drive line defects.
- (vi) Driver Controls - driving position adjustment controls and securing devices function properly and all driver controls are within easy reach of driver and function properly.

11.9 Taxi Meter Test:

- (a) The taxi meter fare tariffs displayed by the meter will be measured against predetermined distances set out by the meter test markers (visual).
- (b) Waiting time will also be tested but this will normally be checked after completion of the combined road and meter test (visual).
- (c) The taxi meter must be secured and sealed (testers will, where appropriate, reseal meter after the test), and fare tariffs displayed must be capable of being seen by passengers (visual/physical).

12. Other Testable Items (Windscreen and Window Tints)

- 12.1 Tinted windscreens and windows are allowed but must comply with minimum legal requirements i.e. -

Windscreen	75% (test by meter)
Front Passenger and Driver's Windows	70% (test by meter)

- 12.2 Given concerns over passenger safety and security, the Licensing Committee requires all other windows to provide a clear view into the vehicle and any issues arising from this, the 70% light transmission rule will apply (tested by meter).
- 12.3 The minimum tint requirement for all other windows will not apply to Special Event vehicles which are exempt or to any other vehicle to which a licence variation has been granted (visual).

13. Vehicle Re-Testing

- 13.1 All defects found during test will need to be rectified and re-tested as such before any failed vehicle is allowed to operate as a taxi or private hire car.

- 13.2 Timescale limits set (excluding paintwork) for re-testing should not be exceeded otherwise irrespective of circumstances the vehicle will require to undergo a full test.
- 13.3 If the vehicle is submitted within the timescales set, only failed items will be re-tested.
- 13.4 Paintwork defects are test failures and timescales set for re-testing such defects must not be exceeded as the matter will be reported to the Licensing Committee.

14. Accessible Taxis (WAV's)

- 14.1 The Licensing Committee operates an approved list of vehicles it considers suitable as wheelchair accessible vehicles (WAV's).
- 14.2 All approved WAV's have undergone an assessment process, an integral part of which is the production of appropriate type approval certification for both purpose built and converted vehicles.
- 14.3 The Testing Station carry out these assessments making recommendations as appropriate on assessment outcomes.
- 14.4 These assessments are separate from normal taxi/testing and are set up to determine the suitability of vehicles and because of the nature of the assessment process new licence holders are advised to use the list when acquiring new vehicles.

15. Replacement Vehicles

- 15.1 All operators irrespective of licence held must ensure any replacement vehicle, new or used, meets the requirements before presenting it for test.
- 15.2 It is the operator's responsibility to ensure the vehicle meets the requirements and this is particularly important if the vehicle make, model or type has not been put on service before.
- 15.3 The Cabs Enforcement Officer and testing station staff can offer unqualified advice and operators have access to the pre-test facility open to any replacement vehicle. In addition testing station staff on seeing the vehicle can give general advice on its suitability covering seating capacities, window tints, luggage space, wheels and tyres.

Head of Democratic and Legal Services
January, 2013