

## **Appendix 4 (A) – Private Hire Vehicle Conditions – Motor Tricycle**

### **Local Government (Miscellaneous Provisions) Act 1976**

#### **General**

The Licensee shall ensure that he/she complies in all respects with the requirements of any Act or Regulations affecting the operation of private hire vehicles and motor vehicles.

#### **1. Type of Vehicle**

- 1.1. Only those vehicles which are on the Council's 'Approved List of Novelty Private Hire Vehicles – Motor Tricycle' will be accepted for licensing.
- 1.2. The vehicle must hold 'European Whole Vehicle Type Approval' and must be maintained in its standard manufactured form. Any modification or adaptation must be made by the manufacturer who must attain 'European Whole Vehicle Type Approval' in the vehicles modified or adapted form.
- 1.3. A vehicle licence will not normally be granted if it has sustained accident damage resulting in structural distortion beyond the accepted limits of the vehicle manufacturer, or, has been disposed of under an insurance salvage agreement (categories A, B, C, and D).
- 1.4. Once a vehicle has been inspected and a licence granted, it shall be maintained in that form and condition including continued compliance with Condition 1.3 relative to accident damage. No change in the specification, design or appearance of the vehicle or addition of any body work accessories shall be made within the duration of the licence without the prior written approval of the Council's Licensing Service.
- 1.5. The vehicle must have a minimum nominal engines capacity of 1300cc or more. The engine must be the manufacturers standard type and design and must not be modified or adapted in any way to exceed standard power, emission or noise output.
- 1.6. The vehicle must be equipped with passenger head restraints as part of its standard design and construction and the component parts must be provided as standard equipment factory fitted by the vehicle manufacturer.
- 1.7. The vehicle must be equipped with side restraints as part of its standard design and construction and the component parts must be provided as standard equipment factory fitted by the vehicle manufacturer
- 1.8. The vehicle must be equipped with a passenger forward restraint bar as part of its standard design and construction which locks in place across the front of passengers while being transported and the component parts must be provided as standard equipment factory fitted by the vehicle manufacturer.
- 1.9. Suitable 'foot plates' are to be fitted to the frame work of the Motor Tricycle where passengers are expected to tread or rest their feet while mounting, dis-mounting or being transported on the vehicle. The foot plates must prevent the feet & ankles of passengers passing through the vehicle framework. They should provide a 'non-slip' surface and should not introduce any trip hazard or sharp edges. The foot plates must be fabricated and fitted to acceptable engineering industry standards and approved by Authorised Officers of the Council.
- 1.10. The vehicle must be fitted with suitable seatbelts/lap belts which meet approved BSI standards to provide additional level of safety and to prevent 'submarining'. The

anchorage points must be mounted on the main framework of the vehicle and fitted in line with product specification to acceptable engineering industry standards and approved by Authorised Officer of the Council.

## **2. Age of Vehicle**

- 2.1. The age of a vehicle, for licensing purposes, shall be determined by the date of first registration on the V5 registration document (Log Book). A vehicle will only be accepted for licensing if the date of first registration is less than 1 year from the date of application. The vehicle must be licensed for use within one month from the date of application.
- 2.2. Where a currently licensed vehicle does not meet the requirements of part 2a that vehicle will continue to be re-licensed for up to 10 years from the date of first registration, providing that all other licensing requirements relating to that vehicle have been complied with and that the licence is renewed before the expiry of the licence. Any break in the licence will result in part (a) of this Condition coming into effect.

## **3. Number of Passengers**

- 3.1. The private hire Motor Tricycle vehicle shall carry no more than 2 passengers at any one time regardless of designed passenger carrying capacity. This will allow for no more than one driver and two passengers being transported on the vehicle for the purpose of a private hire service.

## **4. Maintenance of Vehicle**

- 4.1. The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition to the satisfaction of an authorised officer and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations) shall be fully complied with.
- 4.2. Seats must be maintained to a standard commensurate with passengers reasonable expectations and should remain comfortable, free of stains, tears, cigarette burns or repair, and not threadbare.
- 4.3. Luggage and storage areas must be kept as free space for passenger's luggage, except for a spare wheel, essential tools, safety equipment and a first aid kit. The compartment shall be kept clean and any covering free from major cuts, tears or other damage or staining.
- 4.4. Accident damage must be repaired without undue delay. Bodywork should be maintained to a good condition, paintwork should be sound and well maintained and free of corrosion, inferior re-spray paintwork and 'cover up' temporary repairs.
- 4.5. Replacement parts whether mechanical, body or trim, fittings or furnishings, will be supplied by the vehicle manufacturer.
- 4.6. Taking into consideration the excessive mileage covered by a private hire vehicle it should be regularly serviced and maintained (at least every 6000 miles or interval recommended by the vehicle manufacturer) and records shall be kept and made

available to an Authorised Officer or a Police Officer on request. Service and maintenance records from owner drivers shall be provided at regular intervals to the licensed operator.

## **5. Inspection and testing**

- 5.1. The Proprietor of a motor tricycle must present the vehicle for an MOT inspection at a MOT testing station approved by the Licensing Service no later than 12 months from the date of first registration and every 6 months thereafter.
- 5.2. The vehicle Proprietor will be responsible for producing the MOT pass certificate to the Licensing Service within 72 hours of such a test.
- 5.3. The licensed vehicle will be subject to inspection and testing by Authorised Officers of the Council as may be required and in line with the provisions of the Local Government (Miscellaneous Provisions) Act, 1976.

## **6. Alteration of the Vehicle**

- 6.1. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the licensing authority at any time while the licence is in force.

## **7. Identification Signs**

- 7.1. Unless 7.5 applies, all vehicles are required to have a licence plate affixed to the bodywork and displayed in accordance with the requirements of the Council. Each licensed Motor Tricycle shall display:
- 7.2. A licence identification disc or windshield card issued by Aylesbury Vale District Council, which must be fixed to the front, nearside of the vehicle in such a manner as to be capable of being easily read from the roadside. The proprietor must provide a suitable weather proof licence holder to ensure the licence disc is protected, maintained and legible at all times.
- 7.3. A rear licence plate. Aylesbury Vale District Council will issue to each licensed vehicle a 'licence plate' to be fitted by the Council and wherever possible to the rear lower offside of the vehicle. It will display the licence number, vehicle registration number and the number of passengers it is licensed to carry. It will be displayed at all times and maintained in good condition.
- 7.4. The Licensee shall affix and maintain in a conspicuous position, on the off-side and near-side of the vehicle the prescribed 'door sign', issued by the licensing authority. Any such sign affixed onto the vehicle shall be adhesive and not magnetic. The sign must be maintained such that it remains legible. If it becomes damaged or illegible the Licensee must contact the licensing authority for a replacement immediately.
- 7.5. Provided a notice in writing in respect of the vehicle, given under section 75(3) of the Local Government (Miscellaneous Provisions) Act 1976 by the licensing authority to the Licensee, is in force and the conditions mentioned in that notice are being complied with, 7.1-7.4 shall not apply. A copy of the notice shall be carried in the vehicle and be available on request by an authorised officer of the Council or Police Officer.

## **8. Advertising**

- 8.1. Only the name and contact telephone number of the company or operator may be displayed on the vehicle in a form and design approved by an authorised officer of the Council.
- 8.2. No other sign, notice, advertisement, plate, mark or anything similar shall be displayed on, in or from the vehicle without the prior written consent of the Council which, if granted, shall at all times be kept with the vehicle and shown to an authorised officer of the Council or police officer on request.

## **9. Safety Equipment**

- 9.1. A fire extinguisher shall be carried at all times in the vehicle. This fire extinguisher shall be a 1kg dry powder giving a minimum 5A/21B rating as defined in BSEN 3-4 British Standard for portable fire extinguishers. It must be mounted in its correct transport bracket within the boot area of the vehicle in a position that is easily accessible to potential users. All fire extinguishers should conform to British Standard EN3.
- 9.2. A first aid kit complying with the Health and Safety (First Aid) Regulations 1981 shall be carried at all times. The contents shall be stored in a suitably labelled container complete with transport bracket and fitted in a suitable prominent position within the boot area of the vehicle for ease of use by the driver or passengers. The items contained within the first aid kit must not be expired.

## **10. Communication Equipment**

- 10.1. The vehicle will be equipped with two way radio communication equipment (with headsets) which allows constant means of communicating between the driver and passengers throughout the duration of a journey.

## **11. Change of Address**

- 11.1. The licensee shall notify the licensing authority in writing of any change of his address during the period of the licence within seven days of such change taking place.

## **12. Criminal conduct**

- 12.1. The licensee shall within seven days disclose to the licensing authority in writing details of any conviction, caution, warning, fixed penalty notice or any other out of court disposal imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.

## **13. Return of Licence/Identification Plates**

- 13.1. The licensee shall upon the expiry (without immediate renewal), revocation or suspension of this licence immediately return to the licensing authority the licence/identification plates issued to him by the licensing authority when granting this licence and any related signage shall be removed.

#### **14. Accident/Damage**

- 14.1. Within 72 hours of an accident or damage to the vehicle, which affects the safety, performance or appearance of the vehicle, the licensee shall inform the licensing authority.

#### **15. Transfer of Vehicle**

- 15.1. Upon transfer of interest in any licensed vehicle to another person, the licensee shall immediately after such transfer give notice in writing, to the licensing authority specifying the name and address of the person to whom the licence has been transferred.

#### **16. CCTV in vehicles**

- 16.1. The licensee shall ensure that the vehicle does not contain any facilities to record images or sound without obtaining prior written authorisation from the licensing authority.