

Kirklees Council Licensing Department Hackney Carriage 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 Borough of Kirklees with respect to hackney carriages in the administrative area of Kirklees.

Interpretation

1. Throughout these byelaws "the council" means the Council of the Borough of Kirklees and "the district" means the administrative area of Kirklees.
2. Provisions were regulating the manner in which the number of each hackney carriage corresponding with the number of its license shall be displayed.
3. (a) The proprietor of a hackney carriage shall cause the number of the license granted to him in respect of the carriage to be legibly displayed on the outside and inside of the carriage or on plates affixed there to.

(b) A proprietors or drivers of a hackney carriage shall: -
 - (i) ensure any exterior plate shall be fixed at the near of the vehicle in such a manner that its clearly visible;
 - (ii) ensure any interior plate shall be fixed to the dashboard in such a position as to be clearly visible to all passengers;
 - (iii) not willfully or negligently cause or suffer anysuch number to be concealed from public view while the carriage is standing or plying for hire; and
 - (iv) not cause or permit the carriage to stand or ply for hire with any such display or plate so defaced the any figure or material particular is illegible.

Provision regulating how hackney carriages are to be burnished or provided

4. The proprietor of a hackney carriage shall:
 - (a) provide sufficient means by which any persons in the carriage may communicate with the driver;
 - (b) provide any necessary windows and means of opening and closing not less than one each side;
 - (c) cause the seats to be properly cushioned or covered and free from stains tears or holes;
 - (d) cause the floor to be provided with a proper carpet, mat, or other suitable covering;

(e) cause the interior of the carriage to be kept in a clean condition, well maintained and in every way fit for public services;

(f) provide means for securing luggage if the carriage is so constructed as to carry luggage; (g) provide an efficient fire extinguisher which is clearly and indelibly marked with the vehicle license and registration number and which shall be securely fixed on the driver's side of the vehicle in such a position so as not to impede the driver's vision or use of controls and so as to be readily available for use; and

(h) 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.

5. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say.

(a) The taximeter shall be securely affixed and shall not be mounted in either the footwells, or on top of the dashboard.

(b) The taximeter shall be fitted with a device the operation of which will bring the taximeter into action.

(c) The device shall be capable of being locked in such position the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter.

(d) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figure 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 and time in pursuance of the tariff fixed by the council.

(e) The word "fare" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded there on.

(f) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed and shall be suitably illuminated during any period of hiring.

(g) The taximeter and all the fitting thereof shall be securely fixed to the carriage with seals or other appliances so that it shall not be practicable for any person to remove or tamper with them except by breaking, damaging or permanently displacing the seals or other appliances

Provision regulating the conduct of the proprietors and drivers of hackney carriage plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

6. The driver of a hackney carriage provided with a taximeter shall:

- (a) When standing or plying for hire, keep the taximeter switched off so no fare is recorded.
 - (b) Before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter in action and keep it in action until the termination of the hiring.
 - (c) Cause the taximeter to be kept properly illuminated throughout any of the hiring. 6. 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 or with the seal affixed there to.
7. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired:
- (a) Proceed to one of the stands fixed by the council.
 - (b) If the full number of carriages authorized to occupy occupies a stand, at the time of his arrival, proceed to another stand.
 - (c) On arriving at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction.
 - (d) 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.
8. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
9. The proprietor or driver of a hackney carriage who has agreed or has 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 place.
10. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of person than the number of persons specified on the plate affixed to the outside of the carriage.
11. If a badge has been provided by the council and delivered to the driver of a hackney carriage he shall when standing or plying for hire, and when hired wear that badge in such a position and manner as to be plainly visible.
12. The driver of a hackney carriage 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 building, station or place at which he may take up or set down such person.

13. The driver of a hackney carriage shall when requested by any person on hiring or seeking to hire the carriage, carry a guide dog accompanying a visually handicapped person.
14. The proprietor and the driver of a hackney carriage adapted to carry disabled persons shall ensure that any necessary ramps are carried at all times or that any electric hoist fitted to the vehicle is kept maintained and in working order at all times.
15. Provision fixing the rates or fares to be paid for hackney carriages within the district and securing the due publication of such fares.
16. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire or the carriage the rate or fare prescribed by the council, the rates or fare being calculated by distance and time unless the hirer expresses at the commencement his desire to engage by time, when the rate or fare shall be calculated by time on a basis to be agreed between the hirer and the proprietor or driver at the commencement of the hiring. Provided always that were a hackney carriage furnished with taxi meter shall be hired by distance and time the proprietor or driver there for shall not be entitled to demand and take a fare greater than the recorded on the face of the taxi meter save for an extra changes authorized by the council which it may not be possible to recorded of the face of the taxi meter.
17. (a) The proprietor of a hackney carriage shall cause the fare card provided by the council to be exhibited inside the carriage.

(b) The proprietor or driver of a hackney carriage shall not willfully or negligently cause the fare card to be concealed or rendered illegible at any time while the carriage is plying or is being used for hire.
18. The proprietor or drive of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left there in.
19. The proprietor or driver of a hackney carriage shall, if any property accidentally left there in by any person who may have been conveyed in the carriage be found by or handed to him:

(a) Carry it as soon as possible and in any event within 48 hour if not sooner claimed by or on behalf of its owner to the council hackney carriage licensing office on his giving a receipt for it.

(b) Be entitled to receive from any person to whom the property shall be redelivered 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 office of the council whichever be the greater) but not more than five pounds.

Penalties

20. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding level two and in the case of a continuing offence to a further fine not exceeding two pounds for each day during which the offence continues after conviction there for.

Repeal of Byelaws (2)

21. The byelaws relating to hackney carriages, which were made by the undermentioned authorities on the dates, referred to are here by repealed:

Name of the byelaw Dates

- Byelaws made by the Urban District of Spenborough 17th February 1948
- Byelaws made by the County Borough of Huddersfield 25th January 1951
- Byelaws made by the County Borough of Dewsbury 29th November 1951
- Byelaws made by the Urban District of Heckmondwike 28th July 1969
- Byelaws made by the Borough Of Spenborough Bylaws 24th December 1956
- Byelaws made by the Borough of Battle 26th March 1971