

PWYLLGOR	GENERAL LICENSING COMMITTEE
DYDDIAD:	5 MARCH 2018
TEITL:	HACKNEY CARRIAGE METER SPECIFICATION
PWRPAS:	TO APPROVE THE REVIEW OF THE LICENCE CONDITIONS IN RESPECT OF INSTALLATION AND USE OF TAXIMETERS
AWDUR:	HEAD OF ENVIRONMENT

1.0 BACKGROUND AND RECENT DEVELOPMENTS

- 1.1 The Council is the licensing authority for hackney carriage vehicles by virtue of the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The authority sets licence conditions that must be complied with for a vehicle licence to be granted.
- 1.2 Gwynedd Council hackney carriage byelaws and the Local Government (Miscellaneous Provisions) Act 1976 require all hackney carriages to be fitted with a taximeter.
- 1.3 Taximeters are devices for registering the fare of a journey based on a combination of the distance travelled and waiting time. Taximeters are predominately electronic computing devices which measure distance using a transponder to convert vehicle movement to distance travelled and displays a constantly updated fare for the journey showing how much the hiring is costing. The licensing authority is responsible for setting the maximum fare that a hackney carriage driver can charge for any journey within Gwynedd Council and the taximeter must be set accordingly. Hackney carriage vehicles must be equipped with a taximeter which must be used when a passenger hires the vehicle.
- 1.4 The use of a taximeter has advantages for both the driver and passenger. The display of the fare clearly indicates to the passenger what the fare will be and the driver does not have to manually calculate the fare. The fare charged is therefore transparent and clear and assists in minimising disputes. Members of the public rely on licensed vehicles to transport them throughout Gwynedd and it is important that they can rely on the accuracy of the fitted taximeter.
- 1.5 Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 gives power to any authorised officer of the Council or any constable to inspect and test, for the purpose of ascertaining its fitness, any taximeter fitted to a hackney carriage.
- 1.6 The Measuring Instruments (Taximeters) Regulations 2006 came into effect on 30th October 2006. These regulations implement the EU Measuring Instruments Directive (MID) in relation to taximeters. All taximeters must comply with these regulations and be approved by a notified body designated by the Secretary of State. It is an offence under Regulation 4(2) to place on the market, and put into use, a taximeter that does not comply with the regulations and which has not been Authorised by a notified body; (notified bodies are those designated by the Secretary of State as persons /organisations that meet the notified body criteria).
- 1.7 In recent years there has been a rise in the use of Global Positioning Systems (GPS) to measure fares in licensed vehicles. This system comprises of an office based central dispatch system linked to a mobile data terminal in the vehicle using GPS. The mobile data terminal is similar to a satellite navigation terminal, but also

includes a taximeter function.

1.8 GPS systems are used by operators to manage and dispatch vehicles to customers and can also be used to calculate the fare for the journey. A few local companies have started to use such devices instead of approved taximeters; and the legal situation in respect of the use of such systems has been considered.

Whilst new technology is welcomed, no GPS system currently complies with the requirements of the Measuring Instruments (Taximeters) Regulations 2006 and therefore cannot be used as an approved taximeter.

2. CURRENT CONDITIONS

The current conditions in respect of taximeters are worded accordingly –

A hackney carriage shall always be fitted with a taximeter and every taximeter, shall comply with the following requirements:-

- (a) the taximeter shall be fitted with a key, flag or other device, the turning of which brings the machinery or the taximeter into operation and causes the word "HIRED" to appear on the face of the taximeter.
- (b) such key, flag or other device shall be capable of being locked in a position so that the machinery of the taximeter is not in operation and that no fare is recorded on the face of the taximeter.
- (c) when the machinery of the taximeter is in operation there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate of fare which has been set by this authority as duly notified in writing to the operator.
- (d) the word "FARE" shall be printed on the face of the taximeter in plain letters so as to relate clearly to the fare recorded on it.
- (e) the taximeter shall be so placed that all letters and figures displayed on it are at all times plainly visible to any person being conveyed in the licensed vehicle, and for that purpose the letters and the figures shall be capable of being suitably illuminated during any period of hiring.
- (f) the taximeter and all ancillary fittings shall be affixed to the licensed vehicle with seals or other appliances at the time of fitting so that it shall not be practicable for any persons to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances. The meter shall be used for each and every run. The fare charged shall not be more than that displayed on the meter.
- (g) the taximeter must be maintained in a satisfactory working condition and must be presented for inspection at the place designated by an authorised officer of the Council or a Constable if so required by a notice under Section 68 of the Act or to comply with Condition 9 above.

3. PROPOSED CONDITIONS

3.1 Hackney carriages in Gwynedd are not currently required to have their taximeter periodically tested.

It is proposed that the following condition be inserted into the meter and equipment specification section of the hackney carriage conditions.

3.2 "All hackney carriages must be fitted with a taximeter of approved design, properly sealed and tested and all such taximeters must be kept in good repair and proper working order clearly visible to all passengers without affecting passenger comfort or infringing construction and use regulations.

3.3 *The vehicle proprietors will be required to provide a certificate upon first application for a vehicle licence confirming that the taximeter is of an approved specification and has been fitted in accordance with The Measuring Instruments (Taximeters) Regulations 2006.*

3.4 *The fitted meter shall be calibrated to include only Gwynedd Council tariffs applicable to the number of passengers permitted in that vehicle. The proprietor shall produce annually to the Licensing Authority a certificate issued by a taximeter installer/tester approved by the Licensing Authority stating that the meter is accurate and contains only the current Gwynedd Council hackney carriage tariff.”*

3.5 These proposed new conditions will provide a robust process for ensuring taximeters are set to the correct tariff, helping to maintain public trust that the fare charged on the meter is correct.

3.6 As stated in paragraph 3.4, it proposed that vehicle proprietors will produce a certificate annually to show that the taximeter is accurate and only contains the Gwynedd Council hackney carriage tariff.

3.7 It is therefore proposed that the licensing unit will establish a list of approved taximeter testers to fit and undertake annual tests . It will be the responsibility of the proprietors of the vehicles to pay for the fitting and annual checking of each taximeter.

3.8 As stated in paragraph 3.3 all taximeters must comply with the requirements outlined in The Measuring Instruments (Taximeters) Regulations 2006. There are currently no GPS systems on the market that comply with these regulations.

3.9 It is proposed that a condition is added to the hackney carriage vehicle licence conditions clarifying the current legal status of GPS taxi management and dispatch systems. Below is the proposed condition

“A GPS taxi management & dispatch system consisting of a mobile data head and a central dispatch system may be fitted in accordance with the manufacturer’s instructions. The GPS system is not a taximeter. It can be used alongside the vehicle’s approved taximeter but must not replace it.”

3.10 The proposal will require consultation with the trade, and this will be undertaken as a part of the wider consultation on the review of the taxi licence policies.

4. FINANCIAL IMPLICATIONS

4.1 Annual testing of taximeters will be undertaken and paid for by the trade, which will not increase the financial burden on taxi proprietors fully complying with the current conditions in respect of taximeters.

5. RECOMMENDATIONS

That the committee approve the proposal to amend the conditions in respect of taximeters as a part of the wider review of taxi licensing policies and conditions which is currently being undertaken.