

WEST OXFORDSHIRE DISTRICT COUNCIL

MISCELLANEOUS LICENSING SUB COMMITTEE – 26 MARCH 2014

**REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE TESTING
REQUIREMENTS AND HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER
MEDICAL POLICY**

REPORT OF THE HEAD OF COMMUNITY SERVICES

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The sub-committee's decisions on this matter will be resolutions.

1. PURPOSE

To review Hackney Carriage and Private Hire vehicle testing requirements and the Hackney Carriage and Private Hire driver medical policy.

2. RECOMMENDATION

That the proposed vehicle testing requirements and driver medical examination policy as outlined in Appendix A be adopted.

3. BACKGROUND

- 3.1. West Oxfordshire District Council has a duty to consider public safety when determining how private hire and hackney carriage vehicles and drivers are licensed.
- 3.2. There is a considerable variance in how local authorities licence vehicles and test them and manage driver medical examinations. The model being proposed complies with the legal requirements governing the licensing and testing of vehicles and the requirement for medical examinations for drivers. The proposals will reduce the financial and administrative demands on the hackney and private hire trade and enable the authority's officers to focus on those operators, proprietors and drivers who fail to comply with the authority's policies and the law using an intelligence led approach to enforcement.
- 3.3. **Vehicle Testing** The Authority's current policy in relation to vehicle testing requirements was agreed in 18 February 2009. The Department for Transport, Taxi and Private Hire Vehicle Licensing: Best Practice Guidance, March 2010 states "the legal requirement is that all taxis should be subject to an MOT test or its equivalent once a year. An annual test for licensed vehicles of whatever age (that is, including vehicles that are less than three years old), seems appropriate in most cases, unless local conditions suggest that more frequent tests are necessary. However, more frequent tests may be appropriate for older vehicles." In relation to the age of vehicles licensed by an authority the guidance states "a greater frequency of testing may be appropriate for older vehicles.
- 3.4. The Vehicle and Operator Services Agency (VOSA) has issued guidance for the testing of private hire vehicles which states that "Private hire vehicles should have an MoT certificate after one year from first registration then annually after that."

- 3.5. In summary, the guidance from the Department for Transport and VOSA supports the testing of hackney and private hire vehicles annually. More frequent tests may be appropriate for older vehicles.
- 3.6. **Requirement for Medical Examinations** The current requirement is for private hire and hackney licensed drivers to undergo a medical examination on initial application, then once every 3 years until they reach the age of 65 years, then undertake an examination annually.
- 3.7. It is proposed that new applicants are still required to undergo a medical examination. Existing drivers will not be required to undergo a 3 yearly examination but will have to undergo an annual examination once they reach the age of 65. These changes will be supported by a stronger policy relating to the self-reporting of medical issues to the authority relevant to driving. It may be necessary for drivers with specific medical conditions to undergo more frequent medical examinations but this will be on a case by case basis.
- 3.8. Details of the current vehicle testing and medical examination requirements operated by the authority and the proposed changes are shown at Appendix A to this report.

4. ALTERNATIVES/OPTIONS

- 4.1. After reviewing the policy, members may decide to leave it unchanged and not adopt the recommended amendments to the policy.
- 4.2. After reviewing the policy members may decide to adopt some of the measures outlined in Appendix A.

5. FINANCIAL IMPLICATIONS

- 5.1. There are no financial implications for the Authority arising from these proposed changes.
- 5.2. The costs of obtaining a medical examination and MOT are met by the applicant / licensing holder so the proposals will reduce that cost to the applicant / licence holder.

6. RISKS

- 6.1. Although vehicles will be tested on fewer occasions under the proposed changes licensing officers will be able to target operators, proprietors and drivers who are a cause of concern to other operators and the public.
- 6.2. The proposed changes to the requirement for 3 yearly medical examinations for drivers will be mitigated by a greater responsibility being placed on drivers to report medical issues to the Authority.

7. REASONS

- 7.1. The Council exercises control over Taxi and Private Hire operations in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976 to ensure that vehicles, operators and drivers meet the required standards in order to protect the public.

Bill Oddy
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Background Papers:
None

Appendix A

Vehicle Testing- New Applicants		
Type of Vehicle	Current private hire and hackney testing requirements	Proposed private hire and hackney testing requirements
Hackney carriage (less than 100 miles on odometer)	Pre Delivery Inspection Report	MoT less than 1 month old on renewal
Private Hire (less than 100 miles on odometer)	Pre Delivery Inspection Report	MoT less than 1 month old on renewal
Hackney carriage (more than 100 miles on odometer)	Current MoT tick sheet completed by MoT garage	MoT less than 1 month old
Private Hire (more than 100 miles on odometer)	Current MoT -tick sheet completed by MoT garage	MoT less than 1 month old
Vehicle Testing – Renewal		
Type of Vehicle	Current private hire and hackney testing requirements	Proposed private hire and hackney testing requirements
Hackney carriage up to 8 years old	Every 6 months WODC vehicle exam sheet and Certificate of Roadworthiness completed by a MoT garage – MoT if older than 3 years	MoT less than 1 month old submitted with renewal papers (Annually)
Hackney carriage over 8 years old and under 10 years old	Every 4 months WODC vehicle exam sheet and Certificate of Roadworthiness completed by a MoT garage Current MoT	MoT less than 1 month old submitted with renewal papers (Annually)
Private Hire vehicle under 8 years old	Every 6 months WODC vehicle exam sheet and Certificate of Roadworthiness completed by a MoT garage Current MoT	MoT less than 1 month old submitted with renewal papers (Annually)
Private Hire vehicle over 8 years and under 15 years old	Every 4 months WODC vehicle exam sheet and Certificate of Roadworthiness completed by a MoT garage Current MoT	Bi-annual MoT for vehicles over 10 years old
Medical Examinations		
Driver	Existing requirements	Proposed requirements
New Applicant	Medical examination signed by GP on application	No change
Renewal	Medical examination signed by GP every 3 years	No requirement
Over 65 yrs	Medical examination signed by GP every year	No change