

Vehicle Inspection Policy

September 2017

Hackney Carriage and Private Hire Vehicle Inspection Policy

This policy regulates the actions taken by Authorised Officers in relation to defects, faults, or breaches of conditions attached to vehicle licences in respect of hackney carriage and private hire vehicles.

Licensing Officers are authorised under the relevant legislation to inspect licensed vehicles and take action where necessary to ensure the travelling public are safe, in so much as the vehicles used to transport them meet the relevant criteria and conditions laid down by Wirral Council.

Following the inspection of a licensed vehicle an Authorised Officer may take one of a number of actions.

Condition Notice

A condition notice is issued where a vehicle is found to have some minor defect(s) or fault(s) which are not considered to be detrimental to the safety and/or comfort of the travelling public. A condition notice details the identified defect(s) and/or fault(s), and will provide a date by which they should be rectified. Failure to do so may result in a suspension notice being issued.

A vehicle subject to a condition notice may continue to be used for hire and reward purposes.

In the event of a vehicle presenting several defects or faults which individually would normally warrant a condition notice being issued, an Authorised Officer may issue a suspension notice due to the number of defects.

Suspension Notice

A suspension notice is issued when a vehicle is found to have some major defect(s) or fault(s), or a fault which it is considered renders the vehicle to be unfit / unsafe for the carriage of the travelling public. A suspension notice details the identified defect(s) and/or fault(s), and will provide a date by which they should be rectified.

The effect of the suspension notice is that the hackney carriage or private hire vehicle licence is suspended. A vehicle subject to a suspension notice **must not** be used for hire and reward purposes. The use of a vehicle for hire or reward purposes whilst the licence is suspended constitutes an offence. The public/private hire insurance is likely not to be valid in these circumstances.

The private hire operator (where applicable) will be notified when a suspension notice is issued in the case of any licensed vehicle working on their system.

Requirement for a Re-test

If the defect(s) and/or fault(s) at the time of inspection are considered to be severe or numerous, or if the Authorised Officer is concerned about the safety of the vehicle, a full re-test may be required by that Authorised Officer before the suspension notice will be lifted. If this is the case a separate re-test form will be issued.

Re-inspection

In all cases, the vehicle proprietor must rectify the defects and present the vehicle to an Authorised Officer for re-inspection, on or before the specified date/time.

The vehicle proprietor or driver should contact the Licensing Section to arrange for the vehicle to be re-inspected. Vehicles should not be presented for re-inspection without contacting the Licensing Section.

Proof of insurance must also be produced on re-inspection.

If it is deemed appropriate and necessary arrangements may be made for the vehicle to be re-inspected outside normal office hours. This may occur if a vehicle is suspended at night / on the weekend and the fault can be rectified quickly.

Failure to comply with any notices issued by an Authorised Officer will result in further action being taken.

Legislation

Section 60 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the Council may suspend, revoke or refuse to renew a vehicle licence on any of the following grounds:

- That the Hackney Carriage or Private Hire Vehicle is unfit for use as a Hackney Carriage or Private Hire Vehicle
- Any offence or non-compliance with the provisions of the Town Police Clauses Act 1847 or relevant part of the Local Government (Miscellaneous Provisions) Act 1976 or
- Any other reasonable cause

Any proprietor aggrieved by a decision of the Council under this section may appeal to the Magistrates' Court.

Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 permits any Authorised Officer of the Council or Police Officer to inspect a licensed hackney carriage vehicle or private hire vehicle to determine its fitness for use as such or any taximeter affixed to such a vehicle.

If not satisfied as to the fitness of the vehicle the Authorised Officer can suspend the vehicle licence until such time that the identified faults/defects are rectified and an Authorised Officer is so satisfied to its fitness or as to the accuracy of its taximeter.

There is no right of appeal against the Section 68 suspension notice.

If a vehicle licence is suspended the licence holder has a specified period in which to rectify the faults / defects and produce the vehicle for re-inspection.

In all cases where a vehicle is not presented for re-inspection and deemed to be fit for use as a licensed vehicle within 2 months, the vehicle licence is deemed to be **revoked** and at that point there is a right of appeal against the revocation which must be lodged within 21 days to a Magistrates' Court.

Defect/Fault	Notice	Other Possible Action / Notes
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BODYWORK

Minor corrosion	Condition	
Major corrosion	Suspension	
Minor dent/bodywork damage	Condition	
Major dent/bodywork damage	Suspension	
Sharp edges	Suspension	
Loose body panels/bumper	Suspension	
Paintwork poor standard	Condition	
Body panel colours do not match	Condition	

LOCKS, LATCHES, FITTINGS

Bonnet does not shut properly	Suspension	
Boot does not shut	Suspension	
Rear view mirror missing	Suspension	
Rear view mirror damaged	Condition	
Wing mirror missing	Suspension	
Wing mirror damaged	Condition	
Wing mirror housing damaged	Condition	
Roof rack, roof box, or trailer fitted to vehicle	Condition	

LEAKS AND EMISSIONS

Visible fuel/oil/brake fluid leak	Suspension	
Exhaust blowing to excess or producing excess smoke	Suspension	Re-test / MOT

WHEELS AND TYRES

Continuous tyre tread depth less than 1.6mm across the central three quarters of the breadth of the tyre, and/or visible tread not present across the remaining breadth of the tyre	Suspension	Legal Action - The Road Vehicles (Construction and Use) Regulations 1986
Tyre not correct size, speed, or load rating	Suspension	
Tyre not correctly inflated	Suspension	

Evidence of cut or other defect to tyre	Suspension	
Four road wheels not of same type and pattern	Condition	
Four wheel trims not of same pattern	Condition	Where wheels designed to be fitted with wheel trims
No method for dealing with defective tyre: a) full size spare wheel b) space saver spare wheel c) run-flat tyres fitted to vehicle and TPMS d) emergency tyre sealant and compressor/inflator pack	Suspension	
No jack or wheel brace, where applicable	Suspension	Full-size spare or space-saver only
Cosmetic wheel damage	Condition	
Structural wheel damage	Suspension	
Missing wheel nut(s) or stud(s)	Suspension	
Damaged wheel rim	Suspension	
Loose wheel	Suspension	

LICENCE PLATES & VEHICLE REGISTRATION PLATES

Front/rear vehicle licence plate missing	Suspension	HCV: Prosecution under s.45, 51, 52 Town Police Clauses Act 1847 PHV: Prosecution under s.48(6) of Local Government (Miscellaneous Provisions) Act 1976
Front/rear vehicle licence plate incorrectly affixed but legible	Condition	
Front/rear vehicle licence plate incorrectly affixed and illegible	Suspension	Includes if fixed inside rear window
Front/rear vehicle licence plate damaged but legible	Condition	
Front/rear vehicle licence plate damaged and illegible	Suspension	
Vehicle identification card not displayed prominently	Condition	
Vehicle registration plate missing	Suspension	
Vehicle registration plate damaged but legible	Condition	
Vehicle registration plate damaged and illegible	Suspension	
Non-compliant vehicle registration plate	Suspension	

WINDOWS

Windscreen chipped or cracked with damage greater than 10mm in the driver's line of vision (a vertical strip 290mm wide centred on the steering	Suspension	
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wheel) or 40mm elsewhere in the rest of the area swept by the wiper blades		
Windscreen damage likely to make windscreen insecure	Suspension	
Insecure windscreen	Suspension	
Windscreen fails to let 75% of light through	Suspension	
Window (other than windscreen) fails to let 70% of light through	Suspension	
Window mechanism inoperative / faulty	Suspension	

DOORS

Door does not shut properly	Suspension	
Door not capable of being opened by one operation of latch mechanism	Condition	
Audible or visual warning to indicate sliding door open inoperable	Suspension	Only where sliding doors fitted to vehicle
Method to detect and react to obstruction in electrically operated door not fitted or inoperable	Suspension	Electric doors only
Sign not clearly displayed in vehicle providing instructions on correct operation of door	Condition	Electric doors only

VEHICLE EXTERIOR

Dirty exterior	Condition	
One door sign missing	Condition	
Two door signs missing	Suspension	
Door sign(s) non-compliant	Suspension	
Door sign(s) not approved by Licensing Authority	Suspension	
Inoperative or faulty windscreen wipers/washers	Suspension	
No filler cap or filler cap with ineffective seal (incl. push in filler cap)	Suspension	
Location of manual fuel cut-off device, where fitted, not marked clearly on exterior of vehicle	Condition	

VEHICLE INTERIOR

Interior not wind and water tight	Suspension	
Dirty interior (incl. seats)	Condition	
Driver's area obstructed in a manner likely to affect the control of the vehicle	Suspension	

Pedal rubbers missing, damaged, or worn	Suspension	
Seat and/or mounting insecure	Suspension	
Seat or covering ripped, torn, or otherwise damaged	Condition	
Seatbelt missing, frayed, or otherwise damaged	Suspension	
Seatbelt mechanism not in good working order	Suspension	
Floor covering unsuitable or damaged	Condition	
Device for calculating fares not securely fitted in a prominent position	Suspension	
Taximeter not securely fitted in a prominent position	Suspension	
Taximeter not calibrated / tested	Suspension	Meter to be calibrated – certificate
Vehicle tax expired	Suspension	
Light box not fitted	Suspension	
Light box not marked with word 'CAB' and plate number	Suspension	
Light box not illuminating when ignition turned on	Suspension	
Incorrectly or insecurely fitted radio or data head, or wiring causing obstruction	Suspension	
Driver badge not prominently displayed in vehicle	Suspension	
CCTV fitted inside vehicle without approval	Suspension	
Handbrake not functioning properly	Suspension	
Excess play in steering wheel	Suspension	
Steering wheel broken or loose	Suspension	
Power steering not working	Suspension	
Horn inoperative or ineffective	Suspension	
Electrical equipment installed inadequately	Condition	
Interior light(s) inoperable, damaged, or missing	Condition	
Notice required by Wirral Council not displayed	Condition	
Advertisements displayed inside private hire vehicle without prior approval from Wirral Council	Condition	
Advertisement displayed inside vehicle promoting alcohol, tobacco, sex industry, or other inappropriate or controversial matters	Suspension	
Electronic advertisement screen fitted to vehicle without prior approval or in such a position that is can be seen	Condition	

from outside of the vehicle		
Portable step not carried in vehicle where top tread for entrance exceeds 38cm and no step fitted to vehicle	Suspension	
Outer edge of floor at each entrance not fitted with non-slip high-visibility tread	Condition	
Heating and ventilation system with separate controls for passengers not fitted in working condition	Condition	
Method of communication between driver and passenger(s) not in good working order	Condition	
Induction loop system not in good working order	Condition	
Occasional seat does not rise when not in use	Condition	
Suitable means not provided to assist persons to rise from rear seat	Condition	
Colour-contrasting grab handles not placed at all door entrances	Condition	
Provision for keeping luggage separate and secured from passenger seating area not provided	Condition	
Illuminated control switch for operating interior light and window not present in passenger compartment	Condition	
Table of fares not displayed prominently, where applicable	Condition	
Taximeter fails to display "FOR HIRE" or similar when vehicle is not hired	Condition	

EXTERNAL LIGHTS

One of the following lights inoperable in daylight/good visibility: headlight sidelight brake light rear light	Condition	
Two or more lights inoperable	Suspension	
High-level brake light inoperable	Condition	
Reversing light inoperable	Suspension	
Fog light inoperable	Condition	
Light cluster damaged – no sharp edges	Condition	
Light cluster damaged – sharp edges	Suspension	

Indicator light inoperative	Suspension	
Indicator lens broken – no sharp edges	Condition	
Indicator lens broken – sharp edges	Suspension	
‘TAXI’ roof light missing	Suspension	
‘TAXI’ roof light inoperable	Suspension	
‘TAXI’ roof light housing damaged	Condition	
Vehicle registration plate light inoperative	Suspension	

WHEELCHAIRS AND RAMPS

Anchorage for securing wheelchairs insecure	Suspension	
Restraints for wheelchairs and occupants not present	Suspension	
Restraints for wheelchairs and occupants damaged – affecting use	Suspension	
Compliant wheelchair ramp not present	Suspension	
Wheelchair ramp inoperable	Suspension	
Non-slip material on wheelchair ramp not in good working order	Suspension	
Edges of wheelchair ramp not marked in high-contrast colour	Suspension	
Ramps which are not permanently-affixed to vehicle not marked with vehicle registration number	Condition	