

HACKNEY CARRIAGE BYE-LAWS

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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 Barrow-in-Furness with respect to hackney carriages in the Borough of Barrow-in-Furness.

INTERPRETATION

1. Throughout these bye-laws "the Council" means the Council of the Borough of Barrow-in-Furness and "the district" means the Borough of Barrow-in-Furness.

PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF EACH HACKNEY CARRIAGE CORRESPONDING WITH THE NUMBER OF ITS LICENCE SHALL BE DISPLAYED.

2. The proprietor of a hackney carriage shall
 - a) cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside respectively of the carriage or on plates affixed thereto.
 - b) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire.
 - c) not cause or permit the vehicle to ply for hire with any such plate so defaced that any figure or material particular is illegible.

PROVISIONS REGULATING HOW HACKNEY CARRIAGES ARE TO BE FURNISHED OR PROVIDED

3. The proprietor of a hackney carriage shall
 - a) provide sufficient means by which any person in the carriage may communicate with the driver.
 - b) cause the roof or covering to be kept water-tight.
 - c) provide any necessary windows and a means of opening and closing not less than one window on each side.
 - d) cause the seats to be properly cushioned or covered.
 - e) cause the floor to be provided with a proper carpet, mat or other suitable covering.
 - f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service.

- g) provide means for securing luggage if the carriage is so constructed as to carry luggage.
 - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use.
 - i) 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.
4. The proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements that is to say:-
- a) the taximeter shall be fitted with a key flag or other device, the turning of which will bring the machinery of the taximeter into action and use the work "HIRED" to appear on the face of the taximeter.
 - b) such key flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter.
 - c) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the bye-law in that behalf for the hire of the carriage by distance.
 - d) the word "Fare" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon.
 - e) the taximeter shall be so placed that all letter and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for the purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.
 - f) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the sealed or other appliances.

PROVISIONS REGULATING THE CONDUCT OF THE PROPERTIES AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENT AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES.

5. The driver of a hackney carriage provided with a taximeter shall:-
- a) when standing or plying for hire keep the flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter.
 - b) as soon as the carriage is hired by distance and before beginning the journey bring the machinery of the taximeter into action by moving the said key flag or other device so that the word "HIRED" is legible on the face of the taximeter

and keep the machinery of the taximeter in action until the termination of the hiring.

- c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Transport Lighting Act, 1957, and also at any other time at the request of the hirer.
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 thereof or with the seals affixed thereto.
7. The driver of a hackney carriage shall when plying for hire in any street and not actually hired:-
 - a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf.
 - b) if a stand at the time of his arrival is occupied by the full number of carriages authorised to occupy it proceed to another stand.
 - c) on arriving at a stand not already occupied by the full number of carriages authorised 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 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 and place.
9. The driver of a hackney carriage when hired to drive to any particular destination shall subject to any directions given by the hirer proceed to that destination by the shortest available route.
10. 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.
11. The driver of a hackney carriage so constructed as to carry luggage 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 or any building station or place at which he may take up or set down such person.

12. A proprietor or driver of a hackney carriage when standing or plying for hire shall not be calling out or otherwise importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.
13. 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.
14. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such a carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
15.
 - a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaws in that behalf to be exhibited inside the carriage in clearly distinguishable letters and figures.
 - b) the proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

PROVISIONS SECURING THE SAFE CUSTODY AND RE-DELIVERY OF ANY PROPERTY ACCIDENTALLY LEFT IN HACKNEY CARRIAGES AND FIXING THE CHARGES TO MADE IN RESPECT THEREOF

16. The proprietor or driver 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 therein.
17. The proprietor or driver of a hackney carriage shall if any property accidentally left therein by any person who may have conveyed in the carriage be found or handed to him.
 - a) carry it as soon as possible and in any event within 48 hours if not sooner claimed by or behalf of its owner to the office of the Council and leave it in the custody of the officer in charge of the office on his giving a receipt for it.
 - b) be entitled to receive from any person to whom the property shall be re-delivered 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

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding TWENTY POUNDS and in the case of a continuing offence to a further fine not exceeding FIVE POUNDS for each day during which the offence continues after conviction therefore.

REPEAL OF BYELAWS

19. The byelaws relating to hackney carriages which were made by the Council on the 16th day of April, 1951, and which were confirmed by one of the Principal Secretaries of State of His Majesty King George VI on the thirtieth day of April, 1951 are hereby repealed.

The byelaws relating to hackney carriages which were made by the Council on the 20th day of October, 1971, and the 5th day of October, 1973, and which were confirmed by one of Her Majesty's Principal Secretaries of State on the 23rd day of December, 1971, and the 21st day of December, 1973, respectively, are hereby repealed.

THE COMMON SEAL OF THE COUNCIL OF
THE BOROUGH OF BARROW-IN-FURNESS
was hereunto affixed this 17th day
of October, 1974, in the presence of

F CHRISTIE, Mayor

J T BURDEKIN, Deputy Clerk and Chief Executive

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the 25th day of November, 1974.

N P WITNEY
An Assistant Under Secretary of State

Home Office
Whitehall
22nd November, 1974