

BOROUGH OF LUTON

BYELAWS

made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Mayor, Aldermen and Burgesses of the County Borough of Luton, acting by the Council with respect to Hackney Carriages in the County Borough of Luton.

INTERPRETATION

1. Throughout these Byelaws "the Council" means the Mayor, Aldermen and Burgesses of the County Borough of Luton, acting by the Council and "the district" means the County Borough of Luton.

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

2. Every 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. Every 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 watertight,
 - (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 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. Every proprietor of a Hackney Carriage shall cause the carriage to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say,
- (i) 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 cause the word "HIRED" to appear on the face of the taximeter,
 - (ii) 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,
 - (iii) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity 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 in pursuance of the byelaw in that behalf,
 - (iv) 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,
 - (v) the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be suitably illuminated during any period of hiring,
 - (vi) 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 seals or other appliances.

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

5. Every driver of a Hackney Carriage provided with a taximeter shall:-

- (a) when standing or plying for hire, keep the taximeter 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 commencing the journey, bring the machinery of the taximeter into action by moving the key, flag or other device fitted for the purpose so that the word "HIRED" is legible on the face of the taximeter;
 - (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 in Section 17 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. Every driver of a Hackney Carriage for which stands are fixed by any byelaw in that behalf shall, when plying for hire in any street and not actually hired:-
- (a) proceed with reasonable speed to and station the carriage on one of such stands,
 - (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. Every proprietor or driver of a Hackney Carriage who shall have an agreed or shall have 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. If a Badge has been provided by the Council and delivered to the driver of a Hackney Carriage, either with the Licence granted to him by the Council or afterwards, he shall, when standing, plying, or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.
10. Every 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 of any house, station, or place at which he may take up or set down such person.
11. Every driver of a Hackney Carriage:-
- (a) shall conduct himself towards any person hiring or seeking to hire the carriage and any persons conveyed in such carriage in an orderly, seemly and courteous manner,
 - (b) shall take all reasonable precautions for the safety of persons conveyed in such carriage.
12. Every proprietor or driver of a Hackney Carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the Chief Public Health Inspector of the Council.

PROVISIONS FIXING THE STANDS OF HACKNEY CARRIAGES.

13. Each of the several places specified in the following list shall be a stand for such number of Hackney Carriages as is specified in the list:-
- (Note: A schedule of the current Stands is enclosed as a separate document).*
14. The proprietor or driver of a Hackney Carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a Hackney Carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter.

FARES FOR DISTANCE

(Note: The current Table of Fares is enclosed as a separate document).

15. (1) Every proprietor of a Hackney Carriage plying for hire for which any fares are fixed by any byelaws in that behalf shall:-
- (a) cause a statement of such fares to be painted or marked on the inside of the carriage, or on a plate affixed thereto, in clearly distinguishable letters and figures,

- (b) renew such letters and figures as often as is necessary to keep them clearly visible.
- (2) 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 BE MADE IN RESPECT THEREOF.

- 16. Every proprietor or driver of a Hackney Carriage shall, immediately after the termination of any hiring, carefully search the carriage for any property which may have been accidentally left therein.
- 17. Every proprietor or driver of a Hackney Carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:-
 - (1) carry it within twenty four hours, if not sooner claimed by or on behalf of its owner, to the Bedfordshire and Luton Police Office, Dunstable Place, Luton and leave it in the custody of the officer in charge of the office on his giving a receipt for it,
 - (2) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to one shilling in the pound of its estimated value (or the fare for the distance from the place of finding to the Bedfordshire and Luton Police Office, Dunstable Place, Luton whichever be the greater) but not more than five pounds.

(Note: The current address of the Police is: Police Office, Bedfordshire Police, Buxton Road, Luton).

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 forty shillings for each day during which the offence continues after conviction therefor.

(Note: The maximum penalty for offences under these Byelaws is currently £400).

REPEAL OF BYELAWS

- 19. The byelaws relating to Hackney Carriages which were made by the Mayor, Alderman and Burgesses of the Borough of Luton on the 28th day of November, 1944, and which were confirmed by the Minister of Health on the 22nd day of January 1945, are hereby repealed.

The **COMMON SEAL** of the **MAYOR**)
ALDERMAN AND BURGESSES of the)
BOROUGH OF LUTON was hereunto)
affixed on the Twenty-Eighth day of)
June, 1949, in the presence of:-)

CLAUDE A. SINFIELD

Mayor

W.H. ROBINSON
Town Clerk

I hereby confirm the foregoing byelaws and
fix the date on which they shall come into
effect as the 1st October 1949

J. CHUTER EDE,

One of Her Majesty's
Principal Secretaries
of State

K:\LICENSING\CAMERON\BYELAWS