

LICENSING OF STRETCHED LIMOUSINES & SPECIALIST VEHICLES FOR PRIVATE HIRE

1 SUMMARY

- 1.1 Members are asked to consider amending current Pre-Licensing Standards and Licence Conditions relating to Private Hire Vehicles following changes in legislation contained within the Transport Act 2000 in respect of “stretched” limousines and vehicles of historic interest used for special event hire.

2 INTRODUCTION

- 2.2 Within legislation introduced in the Transport Act 1985 provision was made for vehicles with less than nine passenger seats to operate as Passenger Carrying Vehicles (PCVs). The licensing of operatives of PCVs is the responsibility of the Traffic Commissioner for the appropriate area.
- 2.3 A PCV with less than nine passenger seats may not operate in the manner of a Hackney Carriage or Private Hire Vehicle within an area in which a licensing regime exists, i.e. it may not be hired as a whole; it is intended for use only when passengers pay separate fares (as in a ‘bus service’)
- 2.4 The interpretation of legislation relating to small PCVs has varied dependent on the opinion of the Traffic Commissioner for the area concerned thereby causing inconsistency in enforcement policy. Following representations from both the Taxi and Private Hire Trade together with Local Authorities and the National Association for Licensing Officers, an amendment to the Transport Bill 2000 has been passed with the intention of resolving the situation.
- 2.5 At the time this Authority recovered the administration of licensing Hackney Carriages and Private Hire Vehicles on 1 January 1998, it inherited one “stretched” limousine that was subsequently retired from service. Since that time, no “stretched” limousines have been licensed by this Authority.
- 2.6 It is anticipated those operators currently licensed with the various Traffic Commissioners will apply to the Local Authority in whose area they are based when the new legislation takes effect. There will be no period of grace for relicensing with the Local Authority. Initial enquiries have been received from two operators of American “stretched” limousines concerning the Council’s licensing criteria.

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- 2.7 Vehicles of historic interest, e.g. classic cars, do not comply with existing pre-licensing standards and conditions in many respects and are generally used for wedding functions. This type of hire, together with vehicles used by Funeral Directors, do not require formal licensing. If a vehicle is used additionally for hire and reward, other than the two exceptions given, it must be licensed as a Private Hire Vehicle.

3 PRE-LICENSING STANDARDS & CONDITIONS FOR PRIVATE HIRE VEHICLES

- 3.1 The Council's current Pre-Licensing Standard A(vii) for Private Hire Vehicles states:

"All passenger seats shall be facing in a forward or rearward direction"

The majority of American "stretched" limousines have bench seats facing inward and do not meet the Council's criteria. The Council has not made a specific Standard or Condition excluding left-hand drive vehicles from being licensed as Private Hire Vehicle (or Hackney Carriages).

4 CATEGORISATION OF "STRETCHED" LIMOUSINES

- 4.1 "Stretched" limousines vary in specification but can be divided into two general categories. These can be generalised as European and American limousines, the latter being a popular choice for special events.
- 4.2 A European "stretched" limousine normally utilises a large standard saloon car as its basis, e.g. Mercedes, Volvo, etc. The most common example is that used by Funeral Directors with a single bay inserted by a specialised coach-builder to produce a configuration similar to People Carriers. These vehicles are normally available in right-hand drive form, seats face forward or backward and the criteria adopted for People Carriers is appropriate.
- 4.3 American "stretched" limousines vary in length, normally exceeding the European examples, and are not usually available in a right-hand drive configuration. They have developed a niche market and the attraction to the hirer is often the size of the vehicle. The seating configuration often causes passengers to face inward because of the use of sideways-mounted bench seats that do not conform with the Council's Pre-Licensing Standards.

5 EVALUATION OF LIMOUSINES

- 5.1 The European "stretched" limousine, extended by the equivalent of one bay, in right-hand drive form with conventional seating complies with

existing Council Standards and Conditions. If a vehicle is of a greater length, provided that it is a right-hand drive model, no concern should exist relating to the driver's forward visibility.

- 5.2 The American "stretched" limousines, because of their left-hand driving position, must be almost fully exposed to on-coming traffic when overtaking another vehicle on a single carriageway road. In order to comply with the requirement to reduce the seating capacity to no more than eight passengers, some operators have proposed removing the passenger seat alongside the driver that would otherwise be counted within the passenger capacity. The removal of the seat loses the option to have a second driver/assistant to advise the driver of visibility ahead when necessary.
- 5.3 The use of the sideways mounted bench seats in "stretched" limousines can give cause for concern with regard to passenger safety. Forward or rearward facing seats are preferable for support and seat belt installation.
- 5.4 The extent of the "stretch" of the vehicle may impose certain considerations relating to structural integrity and fatigue.

6 SPECIAL EVENT CATEGORY FOR PRIVATE HIRE VEHICLES

- 6.1 Varying opinions exist concerning the suitability of American "stretched" limousines for use as Private Hire Vehicles in the U.K., the main concerns being the left-hand drive position, sideways mounted bench seats and structural integrity of the body dependent of the extent of the stretching. Recent advice has favoured the three-point fitted seat belt instead of lap-belts.
- 6.2 There is public demand for "stretched" limousines and they are hired specifically for that reason. Anyone hiring a Private Hire Vehicle for routine purposes will not make a request for a specific vehicle unless a People Carrier is necessary because of the number of persons travelling.
- 6.3 Vehicles of historic interest are also hired on the basis of what they are, the hirer being specific as to requirement.
- 6.4 The licensing of "stretched" limousines and other non-standard vehicles can be achieved by creating a Special Event Private Hire Vehicle category for vehicles not meeting the standard criteria. This solution has been successfully implemented by Sefton Metropolitan District Council and offers a way forward for this Authority.
- 6.5 It is in the public interest to bring those vehicles for which there is a demand, albeit small, in relation to the overall private hire trade, within Local Authority licensing to ensure proper regulation of operators,

drivers and vehicles. Matters of concern can be addressed within the Pre-Licensing Standards and Licence Conditions.

7 FINANCIAL & RESOURCE IMPLICATONS

- 7.1 The Hackney Carriage Office is financed from the fees and charges made in respect of the issuing of licences and vehicle examinations undertaken. Section 70, Local Government (Miscellaneous Provisions) Act 1976 provides that Local Authorities can charge a fee sufficient to cover the cost in whole or part in connection with the control and supervision of private hire vehicles. Accordingly, additional costs relative to specialist vehicle licensing may be taken into account when determining the licence fee for that category.
- 7.2 Any additional drivers, operators and vehicles will generate income relative to the cost of servicing additional licence applications giving a neutral budget implication.

8 RECOMMENDATION

- 8.1 It is proposed this Sub-Committee **RESOLVES**:
- (1) That this Authority creates a Special Event Private Hire Vehicle category for the licensing of vehicles that do not meet the current specification as set out in Appendix 1.
 - (2) That “stretched” limousines that have right-hand drive, seats facing forward and rearward and meet the current criteria for People Carriers shall be licensed under the standard criteria.
 - (3) That where a “stretched” limousine is available in right-hand drive configuration no left-hand drive model is licensed.
 - (4) That the existing Pre-Licensing Standards and Licence Conditions for Hackney Carriages and Standard Private Hire Vehicles be amended to exclude left-hand drive vehicles by the insertion of an additional Condition.
 - (5) That the Head of Revenue & Housing Management be authorised to accept vehicles previously licensed as PCVs that do not comply with the age criteria for initial licensing subject to the vehicle:
 - (i) Not exceeding the maximum age criteria;
 - (ii) Meeting the Council’s Exceptional Condition criteria, Pre-Licensing Standards and Conditions. (HRHM)

Revised pre licensing conditions meeting the above recommendations as set out in Appendix 2.

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Background Papers:

Local Government (Miscellaneous Provisions) Act 1976.
Transport Bill 2000

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