

Appendix 4

Private hire driver's conditions and penalty points scheme (see Appendix H)

Changes to be made to the penalty points scheme

Section 7 disputes – keep changes proposed in 7.2 - appeal only to committee if suspension/revocation will result.

Penalty points values to remain the same apart from:

- 1.2 You must not drive a private hire vehicle if you no longer hold, have had suspended or are disqualified from holding a DVLA, European Economic Area or Northern Ireland driving licence for that type of vehicle. To do so – 12 penalty points. **Up from 6 points**
- 6.2. You must provide any relevant document or information requested within the specified timescale. Failure to do so – 3 penalty points. **New condition**
- 6.3 Drivers must sign up to the DBS update service and maintain their annual payments – failure to do so - 6 penalty points. **New condition**
- 6.4 If a driver is given notice to take an enhanced DBS check/DVLA check they must provide all information or documentation within 14 days in order to carry out the check – failure to do so – 6 penalty points. **New condition**
- 11.1. When working as a private hire driver, you must not use an unlicensed vehicle, this includes any vehicle where the private hire vehicle licence has been suspended for any reason. To do so – 12 penalty points. **New condition**
- 11.2. When licensed as a driver of private hire vehicles by the Council you must only use a private hire vehicle licensed by Reading Borough Council, unless you are appropriately licensed to use a vehicle licensed by another authority. Failure to do so – 12 penalty points. **Up from 6 points**
- 13.2. You must always present a clean and tidy appearance and wear appropriate clothing and footwear. Failure to do so – 3 penalty points. **New condition**
- 13.4. You must not eat in your vehicle whilst you have a passenger or passengers on board. To do so – 3 penalty points. **Amended to remove eating**
- 13.5. You must not smoke, vape or use any kind of electronic cigarette in a private hire vehicle at any time. To do so – 3 penalty points. **Wording changed to include vaping and e-cigarettes**
- 13.9. Without prejudice to the generality of condition 13.6, you must not engage in any discussion or dialogue, including by telephone contact, social media, email or any other form of communication, of a sexual nature or about a sexual relationship with a passenger (be it a past, present or future relationship). To do so – 12 penalty points. **.Wording amended.**
- 15.1. You must not refuse to carry a guide dog, or assistance dog accompanying a passenger unless you have a proven medical condition that would preclude such action. Failure to do so – 12 penalty points. **Wording amended and points increase**
- 15.5. You must not charge a higher price for any journey, for a person with a disability than would otherwise be charged for a person without such a disability for the same journey. Failure to do so – 6 penalty points. **New condition**

- 15.6. You must provide reasonable assistance to any passengers with a disability, or those with reduced mobility, including providing reasonable assistance to safely load/unload wheelchairs or mobility aids. Unless you have a medical exemption certificate that allows you not to assist on medical grounds. Failure to do so – 6 penalty points. **New condition.**
- 18.2. You must, before commencing work each day, ensure that the vehicle is maintained in a clean, comfortable, safe, watertight and mechanically sound condition and is in all other respects suitable for the purpose for which it is intended. Failure to do so – 3 penalty points for each breach found. **Amended to add 'for each breach found'.**
- 19.1. You must notify the Council Licensing Section within 7 days in writing of any change of address, contact number and email address. Failure to do so – 3 penalty points. **Amended.**
- 19.2. You must notify the Council in writing of all new convictions and cautions within 48 hours from the date of formal notification. Failure to do so - 6 penalty points. **Amended.**
- This includes, but is not limited to, warnings, reprimands, anti-social behaviour orders, community protection notices, criminal behaviour orders, community service orders, restraining orders, fixed penalties (including traffic offences), driver education courses and any disqualifications from driving.
- 19.3. You must notify the council within 48 hours of any arrest and release, charge, caution or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence, this includes fixed penalties (FPN). Failure to do so – 6 penalty points. **New condition.**
- 20.1. You must not drive a private hire vehicle if you are not insured to do so. To do so – 12 penalty points. **Points increase from 6.**
- 24.2. Drivers shall switch off the vehicle engine if waiting for more than one minute when picking up or dropping off passengers or whilst waiting. Failure to do so – 3 penalty points. **New condition**
- 25.1. At any time when driving a private hire vehicle, you must not cause or permit the vehicle to stand or ply for hire or otherwise be used so as to suggest that it is a hackney carriage vehicle. Contravention during a test purchase operation by Reading Borough Council when a prosecution has not been undertaken - 12 penalty points, all other cases - 6 penalty points. **Amended to include 'when prosecution not undertaken.**
- 28.1. At any time when driving a private hire vehicle, you must not cause or permit the vehicle to be parked, or stop, in such a position to cause an unnecessary obstruction or be in a dangerous position (e.g. double parked, parked/stopped at or close to a road junction, zigzags, any 'keep clear' markings or in the middle of the road, etc). To do so - 3 penalty points. **Wording amended.**
- 29.4. At any time when driving a private hire vehicle, you must not drive in a manner that causes your passengers discomfort, alarm or distress. To do so – 3 penalty points **New condition.**
- 34.1. You must not use a mobile phone, communications/navigation device or similar when driving if it is not connected to a 'handsfree' system (Bluetooth earpiece or an inbuilt car system). To do so - 12 penalty points.

Devices include, but are not limited to, mobile telephones, tablets, a two-way radio, satellite navigation device or personal digital assistant.

'Use' of the device includes, but is not limited to, making a call (voice or video), texting, watching videos, making videos, searching on the device or interacting with it in anyway which may cause your attention to become distracted. **Amended condition and points increase.**

36. Home to School transport contract journeys – conditions 36.1 to 36.5 new conditions, points for 36.2 to 36.5 to be reduced to 3.