

Byelaw 17A (amended by 17B, 17U & 17X)

HACKNEY CARRIAGE BYELAWS

Made under section 68 of the Town Police Clauses Act, 1847, section 171 of the Public Health Act, 1875, and section 142 of the Worthing Corporation Act, 1922, by the Mayor, Aldermen and Burgesses of the Borough of Worthing, acting by the Council, with respect to hackney carriages plying for hire in the Borough of Worthing.

Interpretation.

1. Throughout these byelaws “the Council” means the Mayor, Aldermen and Burgesses of the Borough of Worthing acting by the Council, and “the district” means the Borough of Worthing, and “hiring” includes all hirings involving a journey commencing within the district and not extending beyond a point ten miles from Worthing Town Hall.

For 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.

2. 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.

3. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for this purpose.

4. The driver of a hackney carriage shall, if such carriage occupies the first position on one of the stands fixed by these byelaws, remain with the carriage ready to be hired at one.

5. Every proprietor or driver of a hackney carriage who shall have 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.

6. If a badge has been provided by the Council and delivered to him either with the licence granted to him by the Council or afterwards, the driver of a hackney carriage shall, when standing, plying, or driving for hire, wear that badge in such position and manner as to be plainly and distinctly visible.

7. 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.

8. 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 Sanitary Inspector of the Council.

9. Every driver of a hackney carriage provided with a taximeter shall

(i) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-

(a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;

(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 flag or other device so that the words are not conveniently legible;

(ii) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-

(a) when standing or plying for hire exhibit in a conspicuous position on the vehicle a sign on which the words "FOR HIRE" are easily distinguishable;

(b) when the carriage is hire (whether by distance or by time) remove or place in such a position that the words thereon are not conveniently legible, the sign referred to in the immediately preceding subparagraph of this byelaw;

(c) when standing or plying for hire, keep the meter locked in the position in which no fare is recorded on the face of the meter;

(d) 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 device fitted for that purpose so that the word "HIRED" is legible on the face of the meter;

10. A proprietor or driver of a hackney carriage shall not, with intent to deceive, tamper with or permit any person to tamper with any taximeter with which the carriage is provided.

11. Inserted by byelaw 17U, sealed 5.5.82: Subject to the provisions of Byelaw 9, the proprietor or driver of a hackney carriage shall not permit the exhibition of any advertisement or printed matter upon or in such carriage unless the consent of the Council has been obtained.

12. Every driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to such destination by the shortest available route.

For the provision of a deposit of a reasonable sum by the owner of every motor hackney carriage applying for a licence for such carriage applying for a licence for such carriage as a security for the number plate, fare plate and inside number plate.

13. Every proprietor of a motor hackney carriage shall upon making application for a licence for such carriage deposit with the Council as a security for any number plate, fare plate and inside number plate issued to him by the Council in respect of such carriage, the sum of two shillings and sixpence in respect of each plate.

For the examination and inspection of hackney carriages at such time and place as the Council may appoint within one month before the annual licensing day.

14. Every proprietor of a hackney carriage shall cause such hackney carriage to be presented for examination and inspection by or on behalf of the Council at such time and place as the Council may appoint within one calendar month before the Annual Licensing Meeting and notify to him a reasonable time before such appointed time.

For the inspection of every Hackney Carriage at all reasonable times when require by the Inspector of Hackney Carriages appointed by the Council.

15. Every proprietor of a hackney carriage shall cause such hackney carriage to be presented for inspection by or on behalf of the Council at all reasonable times when required by the Inspector of Hackney Carriages appointed by the Council.

For the furnishing by the Owner of every hackney carriage to the Inspector of Hackney Carriages or any Police Constable on request being made by him of the name and place of abode of any person who was authorised to drive such carriage at any specified time within seven days previous to such request being made.

16. Every proprietor of a hackney carriage shall upon request being made to him by the Inspector of Hackney Carriages of the Council or any Police Constable on duty in the District furnish to such Inspector or Constable the name and place of abode of any person who was authorised by such proprietor to drive such carriage at any specific time within seven days previous to such request being made.

For the deposit by the Driver of every motor hackney carriage of a reasonable sum as security for his badge.

17. Every driver of a motor hackney carriage shall upon being granted a licence to drive a licensed motor hackney carriage deposit with the Council as security for the badge to be issued to him in pursuance of the bye-law in that behalf a sum not exceeding two shillings and sixpence.

For regulating the manner in which the number of each carriage, corresponding with the number of its licence, shall be displayed.

18. 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 the public view while the carriage is standing or plying for hire.

For regulating how such hackney carriages are to be furnished or provided.

19. Every proprietor of a motor 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 with means of opening and closing one window on each side;

(d) provide an efficient fire extinguisher which shall at all times be carried in a convenient and conspicuous position on the carriage readily available for use; and

(e) where the carriage is fitted with a front glass wind-screen, provide an efficient mechanical windscreen wiper.

20. Every proprietor of a hackney carriage shall cause

(a) the seats to be properly cushioned or covered;

(b) the floor to be provided with a proper carpet, mat or other suitable covering;

(c) all fittings and furniture to be clean and adequate for the safety and convenience of persons conveyed in such carriage;

(d) means to be provided for securing luggage if the carriage is so constructed as to carry luggage.

21. Every proprietor of a motor hackney carriage shall cause such carriage to be fitted with a taximeter so constructed, attached and maintained as to comply with the following rules, viz.:-

(i) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-

(a) the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least one inch in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible;

(b) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible;

(c) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.

(ii) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-

(a) the taximeter shall be fitted with a key or other device the turning of which shall bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter,;-

(b) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and 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 of fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance.

(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 when the hackney carriage is in pursuance of any statute required to carry any lighted lamp.

(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.

For the cessation of use of a hackney carriage which fails to comply with conditions of licence.

22. Every proprietor of a hackney carriage shall cease to use any hackney carriage which at any time fails in any way to comply with the conditions under which it was licensed.

23. Inserted by byelaw 17J, sealed 21.7.73

<u>For Motor Hackney Carriages</u>	<u>Carriages</u>
On the north side of Cross Street between the points 174 feet east and 404 feet east of the junction with South Farm Road	
On the north side of Railway Approach from a point 25 feet west of the western end of the central station canopy westwards for a distance of 32 feet	16
From a point 38 feet south of the southern boundary of No. 2 Chapel Road to a point 38 feet west of the western boundary of No. 1 Warwick Street	10

24. Inserted by byelaw 17X, sealed 22.9.87: 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.

25. (i) Every proprietor of a motor hackney carriage plying for hire of a description for which any fares are fixed by any byelaw 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.
- (ii) 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.

For 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.

26. 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.

27. 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:

- (i) carry it within twenty-four hours, if not sooner claimed by or on 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,

- (ii) 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 office of the Council, whichever be the greater) but not more than five pounds.

Penalties

28. *Inserted pursuant to the Criminal Justice Act 1967:* The maximum fine for offending against these byelaws is now £20.00 (Criminal Justice Act 1967, Section 92 and Schedule3)

Repeal of Byelaws

29. The Byelaws relating to hackney carriages which were made by the Mayor Aldermen, and Burgesses of the Borough of Worthing on the Second date of June 1937, and which were confirmed by the Minister of Health on the Sixteenth day of July 1937, are hereby repealed.

The Common Seal of the Mayor,
Aldermen and Burgesses of the

Borough of Worthing
was hereunto affixed this
16th day of April 1948 in the presence of the Mayor.

I hereby confirm the above byelaws
and fix the date on which they shall
come into operation as the 1st September 1948.

Signed by One of His Majesty's Principal Secretaries of State 5th July 1948, The
Home Office, Whitehall.