London Hackney Carriage Act 1853

1853 CHAPTER 33 16 and 17 Vict

An Act for the better Regulation of Metropolitan Stage and Hackney Carriages, and for prohibiting the Use of advertising Vehicles. [28th June 1853]

Modifications etc. (not altering text)

C1 Short title "The London Hackney Carriage Act 1853" given by Short Titles Act 1896 (c. 14), **Sch. 1**

C2 Act repealed as to public service vehicles by Road Traffic Act 1930 (c. 43), **Sch. 5**

C3 Functions of Commissioners of Police of the Metropolis as to licensing of hackney carriages now exercisable by an Assistant Commissioner of Police of the Metropolis: Metropolitan Police Act 1856 (c. 2, SIF 95), **ss. 1**, 5, 7, Metropolitan Public Carriage Act 1869 (c. 115, SIF 107:1), **ss. 6**, 8, 11, S. R. & O. 1934/1346 (Rev. XIV, p. 795: 1934 I, p. 1221) and S. I. 1955/1853 (1955 I, p. 1143)

C4 London Hackney Carriages Act 1843 and London Hackney Carriages Act 1850 cited or referred to by their short titles under authority of Statute Law Revision Act 1893 (c. 14), **s. 3**

1 . . . . . [F1]

Textual Amendments

F1 Ss. 1, 3 repealed by Statute Law Revision Act 1892 (c. 19)

2 Commissioners of Police may cause carriages, &c., to be inspected, and if not in fit condition may suspend licences, and recall stamp office plate.

It shall be lawful for **[**[F2]Transport for London**]** to cause an inspection to be made, as often as they deem it necessary, of all . . . [F3] hackney carriages, and of the horse or horses used in drawing the same, within the limits of this Act; and if any such carriage, or the horse or horses used in drawing the same, shall at any time be in a condition unfit for public use, the said commissioners shall give notice in writing accordingly to the proprietor thereof, which notice shall be personally served on such proprietor, or delivered at his usual place of residence; and if, after notice as aforesaid, any proprietor shall use or let to hire such carriage as a . . . [F3] hackney carriage, or use or let to

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hire such horse or horses whilst in a condition unfit for public use, **[**[F2] Transport for London**]**shall have power to suspend, for such time as they may deem proper, the licence of the proprietor of such carriage . . . [F4].

Textual Amendments

F2 Words in s. 2 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20**, Pt. I para. 3(1)(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, **art. 2(2)(c)**; Sch. Pt. III

F3 Words repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

F4 Words repealed by Statute Law Revision Act 1892 (c. 19)

Modifications etc. (not altering text)

C5 S. 2 repealed as to tramcars and trolley vehicles by Metropolitan Public Carriage Act 1869 (c. 115, SIF 107:1), **s. 15** and S.R. & O. 1933/629 (Rev. XX, p. 441: 1933, p. 1772)

C6 "the said Commissioners of Police" means the Commissioners of Police of the Metropolis

3 . . . . . [F5]

Textual Amendments

F5 Ss. 1, 3 repealed by Statute Law Revision Act 1892 (c. 19)

4—6. . . . . . [F6]

Textual Amendments

F6 Ss. 4–6 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

7 As to distances drivers of hackney carriages shall be required to drive.

The driver of every hackney carriage which shall ply for hire at any place within the limits of this Act shall (unless such driver have a reasonable excuse, to be allowed by the justice before whom the matter shall be brought in question,) drive such hackney carriage to any place to which he shall be required by the hirer thereof to drive the same, not exceeding six miles from the place where the same shall have been hired, or for any time not exceeding one hour from the time when hired: . . . [F7].

Textual Amendments

F7 Proviso repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

Modifications etc. (not altering text)

C7 Power to amend s. 7 given by London Cab Act 1968 (c. 7, SIF 107:1), **s. 2(1)**

C8 S. 7 amended by S. I. 1972/1047

C9 S. 7 modified by S.I. 1986/1387 art.4(2)

8 . . . . . [F8]

Textual Amendments

F8 Ss. 8, 22 repealed by Statute Law Revision Act 1892 (c. 19)

9 **Number of persons to be carried to be painted or marked on hackney carriage.**

. . . . . [F9] the driver of any such hackney carriage shall, if required by the hirer thereof, carry in and by such carriage the number of persons painted or marked thereon, or any less number of persons.

Textual Amendments

F9 Words repealed by Statute Law Revision Act 1892 (c. 19)

Modifications etc. (not altering text)

C10 S. 9 repealed so far as it relates to tramcars or trolley vehicles by Transport Charges &c. (Miscellaneous Provisions) Act 1954 (c. 64), s. 14(1), Sch. 2 Pt. IV

C11 S. 9 modified by S.I. 1986/1387 art. 4(2)

10 **As to quantity of luggage to be carried without extra charge.**

The driver of every hackney carriage within the limits of this Act shall carry in or upon such carriage a reasonable quantity of luggage for every person hiring such carriage . . . [F10].

Textual Amendments

F10 Words repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

Modifications etc. (not altering text)

C12 S. 10 modified by S.I. 1987/1387 art. 4(2)

11 . . . . . [F11]

Textual Amendments

F11 Ss. 11, 14, 15 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

[F12]**12** . . . . . .

Textual Amendments

F12 S. 12 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1**, Pt. XV.

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[F13]13 . . . . . .

Textual Amendments

F13 S. 13 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1**, Pt. XV.

14, 15. . . . . . [F14]

Textual Amendments

F14 Ss. 11, 14, 15 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

16 Advertising vehicles, &c., prohibited.

It shall not be lawful for any person to carry about on any carriage or on horseback or on foot, in any thoroughfare or public place within the limits of this Act, to the obstruction or annoyance of the inhabitants or passengers, any picture, placard, notice, or advertisement, whether written, printed, or painted upon or posted or attached to any part of such carriage, or on any board, or otherwise.

17 †Drivers and conductors of metropolitan stage carriages and drivers of hackney carriages, liable to penalties for offences herein named.

. . . . . [F15] the driver of any hackney carriage, who shall. . . . . [F15] commit any of the following offences within the limits of this Act, shall be liable to a penalty not exceeding **[**[F16]level 3 on the standard scale**]**, for each offence, . . . [F17].

(1) Every driver of a hackney carriage who shall demand or take more than the proper fare . . . [F18], or who shall refuse to admit and carry in his carriage the number of persons painted or marked on such carriage or specified in the certificate granted by **[**[F19] Transport for London**]** in respect of such carriage, or who shall refuse to carry by his carriage a reasonable quantity of luggage for any person hiring or intending to hire such carriage:

(2) Every driver of a hackney carriage who shall refuse to drive such carriage to any place within the limits of this Act, not exceeding six miles, to which he shall be required to drive any person hiring or intending to hire such carriage, or who shall refuse to drive any such carriage for any time not exceeding one hour, if so required by any person hiring or intending to hire such carriage, or who shall not drive the same at a reasonable and proper speed, not less than six miles an hour, except in cases of unavoidable delay, or when required by the hirer thereof to drive at any slower pace:

(3) Every driver of a hackney carriage who shall ply for hire with any carriage or horse which shall be at the time unfit for public use . . . [F20].

Textual Amendments

F15 Words repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

F16 Words substituted by virtue of Criminal Justice Act 1967 (c. 80, SIF 39:1), **Sch. 3 Pt. I** and Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 39, 46, **Sch. 3**

F17 Words repealed by Summary Jurisdiction Act 1884 (c. 43), **Sch.** and Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

F18 Words repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

F19 Words in s. 17(1) substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 3(1)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**

F20 Words repealed by Statute Law Revision Act 1892 (c. 19)

Modifications etc. (not altering text)

C13 Unreliable marginal note.

C14 S. 17(1) modified by S.I.1986/1387 art. 4(2)

C15 S. 17(2) restricted by S. R. & O. 1934/1346 (Rev. XIV, p. 795: 1934 I, p. 1236), art. 31

C16 Power to amend s. 17(2) given by London Cab Act 1968 (c. 7), **s. 2(1)**; amended by S. I. 1972/1047

18 Power to police, magistrates or Justices of the Peace to hear and determine offences.

It shall be lawful for any one of the police magistrates at any of the Metropolitan Police Courts to hear and determine all offences against the provisions of this Act, and also all disputes or causes of complaint that may arise out of the same; or if the offence, dispute, or cause of complaint shall be committed or occur in any place not comprised within the limits of a police court district, the same may be heard and determined by two justices of the peace for the county; [F21]. . . . . [F22].

Textual Amendments

F21 Words in s. 18 repealed (27.9.1999) by 1999 c. 22, ss. 106, 108(1)(3)(f), **Sch. 15 Pt. V(1)** (with s. 107, Sch. 14 paras. 7(2), 36(9))

F22 Words repealed by London Cab Act 1896 (c. 27), **s. 2**

Modifications etc. (not altering text)

C17 S. 18 amended (E.W.)(1.4.1996) by S.I. 1996/674, reg. 2, **Sch. Pt. II para. 5(2)(i)**
S. 18 amended (1.4.1996) by S.I. 1996/675, regs. 2, **Sch. Pt. II para. 7(2)(i)**

19 Penalty for offences against this Act for which no penalty is appointed.

For every offence against the provisions of this Act, for which no special penalty is herein-before appointed, the offender shall be liable to a penalty not exceeding **[**[F23]level 1 on the standard scale**]**, . . . [F24]

Textual Amendments

F23 Words substituted by virtue of Criminal Justice Act 1967 (c. 80, SIF 39:1), **Sch. 3 Pt. I** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38**, 46

F24 Words repealed by Summary Jurisdiction Act 1884 (c. 43), **Sch.** and Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

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20 Meaning of certain words used in this Act.

[[F25]In this Act**]** the words "the limits of this Act" shall include every part of the Metropolitan Police District and City of London.

Textual Amendments

F25 Words in s. 20 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 3(1)(4)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**

21 This Act to be construed with 6 & 7 Vict. c. 86, 13 & 14 Vict. c. 7.

This Act shall be construed as one Act with the [M1]London Hackney Carriages Act, 1843, and the [M2]London Hackney Carriages Act 1850; and all the provisions of the said Acts, except so far as is herein otherwise provided, shall extend to this Act, and to all things done in execution of this Act.

Marginal Citations

M1 1843 c. 86**(107:1).**

M2 1850 c. 7**(107:1)**

22 . . . . . [F26]

Textual Amendments

F26 Ss. 8, 22 repealed by Statute Law Revision Act 1892 (c. 19)

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[F27][F27]SCHEDULE (A.)

Textual Amendments

F27 Sch. (A.) repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

. . . . . [F27]

[F28][F28]SCHEDULES (B.) AND (C.)

Textual Amendments

F28 Schs. (B.), (C.) repealed by Statute Law Revision Act 1892 (c. 19)

. . . . . [F28]

Status:
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Changes to legislation:
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