
STATUTORY INSTRUMENTS

1995 No. 837

**METROPOLITAN AND
CITY POLICE DISTRICTS**

CABS

The London Cab Order 1995

Made - - - - *17th March 1995*
Coming into force - - *18th April 1995*

The Secretary of State for Transport, in exercise of the powers conferred by section 6 of the Metropolitan Public Carriage Act 1869(1), hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the London Cab Order 1995 and shall come into force on 18th April 1995.

Interpretation

2.—(1) In this Order—

“the 1934 Order means” the London Cab Order 1934(2);

“authorised examiner” has the meaning given by section 45 of the Road Traffic Act 1988(3);
and

“registered” means registered under the Vehicles Excise and Registration Act 1994(4)

Presentation of motor cabs for licensing

3.—(1) This paragraph applies where—

(a) an application has been made for a cab licence in respect of a motor cab registered on or after 1st August 1979 and propelled by a diesel engine, and

(b) the applicant is required by paragraph 10(1) of the 1934 Order to bring or send the cab to a place for examination by a Public Carriage Examiner.

(1) 1869 c. 115.

(2) S.R. and O. 1934/1346; relevant amending instruments are S.I. 1955/1853 and S.I. 1982/311.

(3) 1988 c. 56.

(4) 1994 c. 40.

(2) In such a case, at the time of the examination of the motor cab by the Public Carriage Examiner, there shall be handed to him not only the application form in respect of the cab as required by paragraph 10(2) of the 1934 Order but also a certificate which satisfies the requirements of sub-paragraph (3) below.

- (3) The requirements of this sub-paragraph, in relation to a certificate, are that—
- (a) the certificate must relate to the cab and be in the form shown in the Schedule to these Regulations;
 - (b) the certificate must have been signed on, or during the 28 day period ending immediately before, the day on which the certificate is handed to the Public Carriage Examiner;
 - (c) the person who signed the certificate must at the time he signed it have been either—
 - (i) an authorised examiner who is authorised by the Secretary of State to carry out examinations for the purposes of section 45 of the Road Traffic Act 1988 on Class IV vehicles (within the meaning of the Motor Vehicles (Test) Regulations 1981⁽⁵⁾), or
 - (ii) a person authorised by such an authorised examiner to carry out such an examination on his behalf;
 - (d) the signature must be accompanied by an embossment by a stamp of the authorised examiner by or on whose behalf the certificate was signed: and
 - (e) the statement made in paragraph 2 of the certificate must have been true at the time the certificate was signed.

(4) If during the course of the examination the Public Carriage Examiner has reasonable grounds for suspecting that the motor cab does not comply with regulation 61 of the Road Vehicles (Construction and Use) Regulations⁽⁶⁾ 1986 he may direct that, within such period as he may specify—

- (a) the motor cab is to be presented again at the place at which the examination was carried out; and
 - (b) at the time the motor cab is so presented, there is to be handed to a Public Carriage Examiner a certificate which satisfies the requirements of sub-paragraph (3) above and which is signed after the direction is given.
- (5) Nothing in this paragraph shall be construed as requiring—
- (a) a certificate to be issued under paragraph 12 of the 1934 Order in any circumstances where the issue of such a certificate could otherwise have been refused; or
 - (b) a cab licence to be granted in any circumstance where such a licence could otherwise have been refused.

Signed by the authority of the Secretary of State

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

17th March 1995

(5) S.I. 1981/1694; relevant amending instrument is S.I. 1990/253.

(6) S.I. 1986/1078: relevant amending instruments are S.I. 1990/1131, 1991/1526, 1992/2137 and 3285, and 1993/2199.

SCHEDULE

Paragraph 3

FORM OF CERTIFICATE

<p style="text-align: center;">THE LONDON CAB ORDER 1995</p> <p>1. is authorised to carry out examinations at for the purposes of section 45 of the Road Traffic Act 1988 on Class IV vehicles (within the meaning of the Motor Vehicles (Test) Regulations 1981) propelled by diesel engines.</p> <p>2. My name is exhibited at the above mentioned premises in accordance with regulation 9(d)(ii) of those Regulations as a person authorised to sign test certificates.</p> <p>3. I have today carried out at the above mentioned premises an examination of motor vehicle registration number in accordance with section 6.4 of the loose leaf publication entitled "The MOT Inspection Manual Car and Light Commercial Vehicle Testing" (ISBN 0 1 1551053 2) as amended in January 1994.</p> <p>4. The examination was carried out using a meter which to the best of my knowledge and belief meets the requirements of the Department of Transport's Specification for MOT Meters April 1992 (Revised 1992) (Reference MOT/07/24/SMOKE) and has been so maintained and calibrated that it would be capable of meeting the requirements set out in paragraphs 6.2.2 and 6.2.3 of that document.</p> <p>5. During the test the mean smoke level displayed on the meter was equal to or less than the appropriate limit—</p> <p style="margin-left: 40px;">(a) after the end of the third free acceleration; or</p> <p style="margin-left: 40px;">(b) after 1, 2 or 3 further accelerations.</p> <p>6. For the purposes of this certificate, "the appropriate limit" is, in relation to a vehicle fitted with a non-turbocharged engine, 3.2m^{-1} and, in relation to, a vehicle fitted with a turbocharged engine is 3.7m^{-1}.</p> <p style="text-align: center;">Signed</p> <p style="text-align: center;">Date</p>

EXPLANATORY NOTE

(This note is not part of the Order)

1. This Order is supplemental to the London Cab Order 1934.
2. Under the 1934 Order, where a person applies for a cab licence under the Metropolitan Public Carriage Act 1869, he is required to submit the cab for examination by a Public Carriage Examiner.
3. This Order applies to applications for a cab licence in respect of a motor cab registered on or after 1st August 1979 and propelled by a diesel engine. It requires a certificate to be handed to the Public Carriage Examiner when the cab is presented to him for examination. The certificate has to

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indicate that the vehicle has passed the exhaust emissions test for diesel engined vehicles specified in the publication entitled “The MOT Inspection Manual Car and Light Commercial Vehicle Testing”.

4. The Order prescribes the form of the certificate, the time within which it must be signed and the persons who can sign it.
5. The Order gives a Public Carriage Examiner power to require a further certificate to be produced in certain circumstances.