



Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Taxis and hire cars

10 Immediate hiring of taxis at separate fares

- (1) In the circumstances mentioned in subsection (2) below, a licensed taxi may be hired for use for the carriage of passengers for hire or reward at separate fares without thereby—
 - (a) becoming a public service vehicle for the purposes of the 1981 Act or any related enactment; or
 - (b) ceasing (otherwise than by virtue of any provision made under section 13 of this Act) to be subject to the taxi code.
- (2) The circumstances are that—
 - (a) the taxi is hired in an area where a scheme made under this section is in operation ;
 - (b) the taxi is licensed by the licensing authority for that area; and
 - (c) the hiring falls within the terms of the scheme.
- (3) In this section "licensing authority " means—
 - (a) in relation to the London taxi area, the Secretary of State or the holder for the time being of any office designated by the Secretary of State for the purposes of this section; and
 - (b) in relation to any other area in England and Wales, the authority having responsibility for licensing taxis in that area.
- (4) For the purposes of this section, a licensing authority may make a scheme for their area and shall make such a scheme if the holders of at least ten per cent, of the current taxi licences issued by the authority request the authority in writing to do so.

Status: This is the original version (as it was originally enacted).

- (5) Any scheme made under this section shall—
- (a) designate the places in the area from which taxis may be hired under the scheme (" authorised places ");
 - (b) specify the requirements to be met for the purposes of the scheme in relation to the hiring of taxis at separate fares; and
 - (c) if made otherwise than by the Secretary of State—
 - (i) include such provision, or provision of such description, as may be prescribed for the purposes of this sub-paragraph;
 - (ii) not include provision of any such description as may be prescribed for the purposes of this subparagraph.
- (6) Subject to subsection (5) above, any scheme made under this section may, in particular, make provision with respect to—
- (a) fares;
 - (b) the display of any document, plate, mark or sign for indicating an authorised place or that a taxi standing at an authorised place is available for the carriage of passengers at separate fares ;
 - (c) the manner in which arrangements are to be made for the carriage of passengers on any such hiring as is mentioned in subsection (1) above ; and
 - (d) the conditions to apply to the use of a taxi on any such hiring.
- (7) A licensing authority may, subject to subsection (5) above, vary any scheme made by them under this section.
- (8) Except in the case of a scheme made by the Secretary of State, any scheme under this section, and any variation of such a scheme, shall be made in accordance with the prescribed procedure.
- (9) For the purposes of this section—
- (a) the hiring of a taxi falls within the terms of a scheme if—
 - (i) it is hired from an authorised place; and
 - (ii) the hiring meets the requirements specified by the licensing authority as those to be met for the purposes of the scheme ; and
 - (b) a taxi is hired from an authorised place if it is standing at that place when it is hired and the persons hiring it are all present there.
- (10) The power of the Secretary of State to make a scheme for the purpose of this section shall be exercisable by order.