

SCHEDULE

Date of Making	Date of Confirmation	By Whom Confirmed
6 th October, 1948	14 th January, 1949	Secretary of State.
7 th September, 1949	12 th January, 1949	Secretary of State.
16 th June, 1950	31 st July, 1950	Secretary of State.

BYELAWS

Made under section 08 of the Town Police Clauses Act, 1847, and under section 171 of the public Health Act, 1875, by the Mayor, Aldermen and Burgesses of the County Borough of Derby, acting by the Council with respect to hackney carriages in the County Borough of Derby.

Interpretation.

- 1 Throughout these byelaws “the Council” means the Mayor, Aldermen and Burgesses of the County Borough of Derby, acting by the Council “the district means the County Borough of Derby, “class ‘A’ Hackney Carriage” means a Hackney Carriage propelled by mechanical power that’s licenced by the Council to carry either not more than five or not more than six adult persons exclusive of the driver, and “Class ‘B’ Hackney Carriage” means a Hackney Carriage propelled by mechanical power that’s licenced by the Council to carry not more than four adult person exclusive of the driver.

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its license, shall be displayed.

- 2 Every proprietor of a hackney carriage shall
 - (a) cause the number of the license granted to him in respect of the carriage to be legibly painted on the outside and inside respectably of the carriage, or on plates affixed thereto,
 - (b) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire.
 - (c) Not cause or permit the vehicle to ply for hire with any such plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

- 3 Every proprietor of a hackney carriage shall
 - (a) provide sufficient means by which any person in the carriage can communicate with the driver.
 - (b) cause the roof or covering to be kept water-tight,
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side,
 - (d) cause the seats to be properly cushioned or covered,



- (e) cause the floor to be provided with a proper mat, carpet or other suitable covering,
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service,
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage,
 - (h) provide an efficient fire extinguisher which shall be carried in a position as to be readily available for use,
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
- 4 Every proprietor of a hackney carriage shall cause the same to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say,
- (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 and a half inches in height and the flag or other device shall be capable in being locked into a position in which the words are horizontal and legible;
 - (b) when the flag or other device is so locked the machinery of 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 will 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, save in the case of a journey to which the proviso to the table of fares contained in byelaw 15 applies, be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take any 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 the 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 suitable illuminated during any period of hiring;

(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.

- 5 Every proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements that is to say :-

(a) the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height;

(b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside of the carriage whether or not the carriage is for hire.

- 6 Every driver of a hackney carriage 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 a position in which the words are horizontal and legible;

(b) as soon as 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 keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of bylaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside of the carriage;

(b) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside of the carriage;

(c) 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 key or other device for the purpose so that the word "HIRED" appears on the face of the taximeter;

(ii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined in section 1 of the Road Transport Lighting Act, 1927, and also at any other time at the request of the hirer.

Provisions regulating the conduct 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.



- 7 A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fitting thereof, or with the seals affixed thereto.
- 8 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 space previously occupied by the carriage driven off or moved forward.
- 9 Every proprietor 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, punctuality attend with such carriage at such appointed time and place.
- 10 If a badge has been provided by the Council and delivered to the driver of a hackney carriage, either with the license granted to him by the council or afterwards, he shall, when standing, plying, or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.
- 11 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 or 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.
- 12 Every proprietor 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.
- 13 (a) A proprietor or driver of a hackney carriage whilst standing or plying for hire shall not by calling out or otherwise, by himself or any person employed by him, importune any person to hire the carriage, to the annoyance of such person or of any other person.
 - (b) Every driver of a hackney carriage shall at all times when such is standing, plying or being driven for hire, be constantly in attendance upon such carriage, and during such time shall conduct himself in an orderly manner and with civility and propriety towards every person seeking to hire, or hiring, or being conveyed in such carriage, and shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.



(c) the driver of a hackney carriage whilst conveying any person in such carriage shall not smoke without the permission of such person.

16 (1) Every proprietor of a hackney carriage plying for hire for which any fares are fixed 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.

(2) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not be 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.

Provisions securing the safe custody and re-delivery of any property accidentally left in the hackney carriage, and fixing the charges to be made in respect thereof.

17 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 left therein.

18 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,

(1) 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, in his giving a receipt for it,

(2) be entitled to receive from any person whom the property shall be re-delivered an amount equal to one shilling in the pound of its estimated value (or the fare distance from the place of finding to the office of the council, whichever be greater), but not more than five pounds.

Penalties

19 every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding five pounds and in the case of a continuing offence to a further fine not exceeding forty shillings for each day during which the offence continues after conviction therefor.

Repeal of Byelaws

20 From and after the date of the confirmation of these byelaws, the byelaws with respect to hackney carriages referred to in the following schedule which were made by the Council shall be repealed.

