

CONSOLIDATED VERSION, MAY 2019

This is an informal consolidation of the Private Hire Vehicles (London PHV Driver's Licences) Regulations 2003 incorporating amendments up to and including those made by the Private Hire Vehicles (London PHV Driver's Licences) (Amendment) Regulations 2019. This document has been prepared for information purposes only and has no legal effect in or of itself.

**GREATER LONDON AUTHORITY ACT 1999
PRIVATE HIRE VEHICLES (LONDON) ACT 1998**

The Private Hire Vehicles (London PHV Driver's Licences) Regulations 2003

Made *6th March 2003*

Coming into force *1st April 2003*

Transport for London, in exercise of the powers conferred on it by sections 13(2), 14(2), 15(4)(a)(ii), 20(1) and (2), 23(1)(b) and 32(1) and (2) of the Private Hire Vehicles (London) Act 1998^(a) and all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Private Hire Vehicles (London PHV Driver's Licences) Regulations 2003 and shall come into force on 1st April 2003.

Interpretation

2. In these Regulations—

“the 1998 Act” means the Private Hire Vehicles (London) Act 1998;

“licence” except in regulations 3 and 5 means a London PHV driver's licence or a driver's temporary permit;

“the register” means the register of licences which the licensing authority is required to maintain under section 23(1) of the 1998 Act;

“section 13(2)(b) requirement” means a requirement which, in accordance with section 13(2)(b) of the 1998 Act, the licensing authority must be satisfied has been met, before granting a London PHV driver's licence to an applicant; and

“driver's temporary permit” means a temporary permit issued under regulation 5 of the Private Hire Vehicles (London) (Transitional and Saving Provisions) Regulations 2003^(b).

^(a) 1998 c. 34; sections 13, 14, 15, 20, 23 and 32 were amended by the Greater London Authority Act 1999 (c. 29), Schedule 21, paragraphs 2, 7, 8, 9 and 16.

^(b) S.I. 2003/655

The physical fitness requirement

3.— (1) The physical fitness requirement is hereby prescribed as a section 13(2) (b) requirement.

(2) The physical fitness requirement is that the applicant—

- (a) is the holder of a Group 2 licence; or
- (b) satisfies Transport for London that he [is medically fit to hold a London PHV driver’s licence.]

(3) A “Group 2 licence” means a licence to driver a motor vehicle granted under Part III of the Road Traffic Act 1998 which is a Group 2 Licence as defined by regulation 70 of the Motor Vehicles (Driving Licences) Regulations 1999b^(c).

(4) [In assessing whether an applicant is medically fit to hold a London PHV driver’s licence under paragraph 2(b), Transport for London shall have regard to the medical standards that would apply in relation to a Group 2 licence.]

NOTES

Amendment

Para (2): para (b) words in square brackets substituted by The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) Regulations 2009, regs 2, 3(1).

Date in force: 1 May 2009: see The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) Regulations 2009, reg 1.

Para (4): words in square brackets substituted by The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) Regulations 2009, regs 2, 3(2).

Date in force: 1 May 2009: see The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) Regulations 2009, reg 1.

The English language requirement

[3A.-(1) The English language requirement is hereby prescribed as a section 13(2)(b) requirement.

(2) The English language requirement is that the applicant must be able to communicate in English at or above level B1 on the Common European Framework of Reference for Languages (“CEFR”).

(3) The ability to communicate in English for the purposes of this requirement includes speaking, listening, reading and writing.

(c) S.I. 1999/2864.

(4) Applicants may satisfy Transport for London of their ability to meet the requirement in regulation 3A (2) by providing:

(i) a certificate from a test provider appointed by Transport for London confirming that the applicant's level of proficiency in the English language is level B1 on the CEFR or above; or

(ii) documentary evidence of a qualification (whether or not the qualification was obtained in the United Kingdom) on the basis of which Transport for London is satisfied that the applicant's level of proficiency in the English language is equivalent to level B1 on the CEFR or above.]

Transitional provisions

[3B The English language requirement will apply to all applications received by Transport for London on or after 14 October 2016, but in respect of applications received on or before 30 September 2020, the applicant must satisfy Transport for London that they have met the requirement in regulation 3A(2) on any date on or before 30 September 2020.]

NOTES

Amendment

Para (3A) substituted by The Private Hire Vehicles (London PHV Driver's Licences) (Amendment) (No. 2) Regulations 2016, regs 2, 3.

Date in force: 14 October 2016: see The Private Hire Vehicles (London PHV Driver's Licences) (Amendment) (No 2) Regulations 2016, reg 1.

Para (3B) substituted by The Private Hire Vehicles (London PHV Driver's Licences) (Amendment) Regulations 2019, regs 2, 3.

Date in force: 13 March 2019: see The Private Hire Vehicles (London PHV Driver's Licences) (Amendment) Regulations 2019, reg 1.

Form of driver's badge

- 4.** — (1) The driver's badge shall be in a form which meets the requirements specified in paragraph (2).
- (2) The requirements are that the badge—
- (a) states the name of the licence holder ("the holder") to whom it has been issued;
 - (b) states the number and expiry date of the holder's licence;
 - (c) includes a photographic image of the holder; and
 - (d) states on the reverse that it is the property of Transport for London and is to be returned to a specified address in the event of its being found.

Fees

5.— (1) The fee payable, on the making of an application, by an applicant for a London PHV driver’s licence shall be [£124]

(2) The fee payable by a person granted a London PHV driver’s licence (“the licence fee”)—

- (a) shall unless already paid, be payable on the grant of the licence; and
- (b) shall be [£186].

(3) Paragraphs (1) and (2) apply to the renewal of a licence as they apply to the grant of a licence.

(4) Where a London PHV driver’s licence ceases to have effect (whether by revocation or otherwise) on the ground that—

- (a) the holder of the licence is no longer physically fit to hold such a licence;
- (b) the licence is surrendered by the holder; or
- (c) the holder dies,

a refund of a proportion of the licence fee shall be payable, in accordance with the following provisions of this regulation, to the holder, or in a case falling within sub-paragraph (c) the holder’s personal representatives.

(5) A refund shall be payable upon receipt of a written request by the holder of the licence accompanied by the licence and the driver’s badge issued to the holder.

(6) The amount refundable shall be equal to that proportion of the licence fee which the number of whole months remaining unexpired of the period for which the licence was granted bears to the whole of that period, rounded up to the nearest pound.

NOTES

Amendment

Para (1): sum “£124” in square brackets substituted by The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) (No. 3) Regulations 2017, regs 2, 3(1).

Date in force: 3 October 2017: see The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) (No. 3) Regulations 2017, reg 1.

Para (2): in sub-para (b) sum “£186” in square brackets substituted by The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) (No 3) Regulations 2017, regs 2, 3(2).

Date in force: 3 October 2017: see The Private Hire Vehicles (London PHV Driver’s Licences) (Amendment) (No 3) Regulations 2017, reg 1.

Register of licences

6.— The register shall contain, in addition to the particulars specified in section 23(1)(a) of the 1998 Act, an indication in relation to each licence as to whether—

- (a) it is a London PHV driver’s licence or a driver’s temporary permit; and
- (b) it is current, suspended or revoked.

Signed by authority of Transport for London

Robert Kiley

6th March 2003

Commissioner of Transport