

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 of 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 mean 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

(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 .

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

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 meets the requirements as to physical fitness that he would be required to meet in order to be granted a Group 2 licence.

(3) A "Group 2 licence" means a licence to drive a motor vehicle granted under Part III of the Road Traffic Act 1988 which is a Group 2 licence as defined by regulation 70 of the Motor Vehicles (Driving Licences) Regulations 1999b(b).

(4) In the application of the provisions of Part III of that Act and Part IV of those Regulations for the purpose of determining whether an applicant meets the requirements referred to in paragraph (2)(b), references in those provisions to the Secretary of State shall be treated as references to Transport for London.

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 £131.

(2) The fee payable by a person granted a London PHV driver's licence ("the licence fee")—

(a) S.I. 2003/655

(b) S.I. 1999/2864.

- (a) shall unless already paid, be payable on the grant of the licence; and
- (b) shall be £87.

(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 whole pound.

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