

TRANSPORT FOR LONDON

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

Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2015

Made

22 October 2015

Coming into force

1 November 2015

Whereas for the purposes of paragraph 1A of Schedule 2 to the European Communities Act 1972 (“the 1972 Act”) (a) these Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and contain reference to European Union (EU) Directive 70/220 EEC and Regulation 715/2007/EC, being Community instruments within the meaning of that Act, and it appears to Transport for London that it is necessary or expedient for the reference in these Regulations to those instruments to be construed as a reference to such instrument or provision as amended from time to time.

Now Transport for London, in exercise of the powers conferred on it by sections 7(2)(c) and 32 of the Private Hire Vehicles (London) Act 1998 (b) and paragraph 1A of Schedule 2 to the European Communities Act 1972 and all other powers enabling it in that behalf, hereby makes the following Regulations :—

1. Citation and commencement

These Regulations may be cited as the Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2015 and shall come into force on 1 November 2015.

2. Preliminary

- (1) The Private Hire Vehicles (London PHV Licences) Regulations 2004 (“the 2004 Regulations”) (c) shall be amended in accordance with the following provisions of these regulations.
- (2) In regulation 3 below the “Amending Schedule” refers to the Schedule to these Regulations.

3. Amendment of Schedule 1 to the 2004 Regulations

Paragraphs 1A to 1D (inclusive) of Schedule 1 of the 2004 Regulations are revoked and after paragraph 1 there is inserted the text of paragraphs 1A to 1E (inclusive) as set out in the Amending Schedule.

Schedule

(Amending Schedule substituting new text)

Vehicle age limits before 1 January 2018

1A. Where on or before 31 December 2017 a London PHV licence is granted:

- (1) On renewal, the vehicle shall not be over 10 years of age as calculated from the date on which the vehicle was first registered under the Vehicle and Excise Registration Act 1994; and
- (2) Otherwise than on renewal, then the vehicle shall not be over 5 years of age as so calculated.

Vehicle emission standards before 1 January 2018

1B. Where on or before 31 December 2017 a London PHV licence is granted otherwise than on renewal the vehicle shall comply with the Euro 4 standard as set out in Directive 70/220/EEC.

Vehicle age limits and emission standards after 1 January 2018

1C. Where a London PHV licence is granted (including on renewal) on or after 1 January 2018 the vehicle shall not be over 10 years of age as calculated from the date on which the vehicle was first registered under the Vehicle and Excise Registration Act 1994.

1D. (1) Where on or after 1 January 2018 a London PHV licence is granted otherwise than on renewal between any of the dates stated in Column 2 of the Table below, and the vehicle is of the age indicated in Column 1, then it shall comply with the corresponding requirements set out in -

- (a) Column 3 as to the applicable minimum emission standard (Euro standard) of the vehicle as determined under (as appropriate and as amended) Directive 70/220/EEC (for Euro 4) or Regulation 715/2007/EC (for Euro 6); and
- (b) Column 4 as to whether or not the vehicle must be a zero-emission capable ("ZEC") vehicle as defined in sub-paragraph (2) below.

- (a) the requirements of a ZEC vehicle under sub-paragraph (2) above; and
- (b) (as a minimum) the Euro 6 emission standard as determined under Regulation 715/2007/EC (as amended).

1E. For the purposes of paragraphs 1C and 1D above the references to Directive 70/220/EEC and Regulation 715/2007/EC are to be construed as a reference to those instruments as amended from time to time in accordance with or pursuant to paragraph 1A of Schedule 2 to the European Communities Act 1972 (as amended).

- from 1 January 2023 all vehicles granted a London PHV Licence for the first time must be Euro 6 (as a minimum) and must be a ZEC vehicle (as set out in paragraph 1D (2)) – see *row D* of that table.

Paragraph 1E (3) clarifies that a London PHV Licence may be granted *before* 1 January 2020 to a vehicle that is ZEC and Euro 6. Finally, the references to Directive 70/ 220 EEC and Regulation 715/2007/ EC are made ambulatory for the purposes of paragraph 1A of Schedule 2 to the European Communities Act 1972 by means of their inclusion in paragraph 1F.