

**CONSOLIDATED VERSION, MAY 2019**

*This is an informal consolidation of the Private Hire Vehicles (London PHV Licences) Regulations 2004 incorporating amendments up to and including those made by the Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2017. This document has been prepared for information purposes only and it 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 Licences) Regulations 2004**

*Made* *16<sup>th</sup> February 2004*

*Coming into force* *8<sup>th</sup> March 2004*

Transport for London, in exercise of the powers conferred upon it by sections 7(2)(c) and (4), 10(2), 20(1), 23(1)(b) and 32(1) and (2) of the Private Hire Vehicles (London) Act 1998(a) and, after consultation with bodies appearing to it to represent the London cab trade and the private hire vehicle trade in London, by section 30 of that Act, 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 Licences) Regulations 2004 and shall come into force on 1st March 2004.

**Interpretation**

**2.—(1)** In these Regulations—

"the 1988 Act" means the Road Traffic Act 1988(b);

"the 1998 Act" means the Private Hire Vehicles (London) Act 1998;

"construction and use requirements" has the meaning given by section 41(7) of the 1988 Act;

"EEA State" means a State which was a party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993 or which, by virtue of a subsequent agreement, falls to be treated as if it were a party to that agreement;

---

(a) 1998 c. 34; sections 7, 10, 13, 14, 15, 20, 23 and 32 were amended by the Greater London Authority Act 1999 (c. 29), Schedule 21, paragraphs 1, 2, 4, 5, 7, 8, 9 and 16.

(b) 1988 c. 52.

"the identification disc" means the disc or plate issued for a vehicle in accordance with section 10(1) of the 1998 Act;

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

"temporary permit" means a temporary permit issued under regulation 5 of the Private Hire Vehicles (London) (Transitional Provisions) Regulations 2004(c); and

"test certificate" has the meaning given by section 45(2)(b) of the 1988 Act.

(2) A reference in these Regulations to the number of passengers that a vehicle is licensed to carry is a reference to the maximum number of passengers that may be carried in the vehicle in accordance with the conditions of the licence.

### **Further requirements that must be met**

**3.—**(1) In addition to the requirements specified in section 7(2)(a) and (b) of the 1998 Act the requirements specified in Schedule 1 are hereby prescribed under section 7(2)(c) as requirements that Transport for London must be satisfied are met before granting a London PHV licence in respect of a vehicle.

(2) Transport for London may exempt a vehicle from any of the requirements of this regulation and Schedule 1 if Transport for London—

- (a) is so requested by the applicant for a London PHV licence for the vehicle; and
- (b) is satisfied that, having regard to exceptional circumstances, it is reasonable to do so.

### **Prescribed licence conditions**

**4.** The conditions specified in Schedule 2 are hereby prescribed as conditions subject to which a London PHV licence is to be granted in respect of a vehicle.

### **Exhibition of identification disc**

**5.—**(1) The identification disc shall be exhibited in the manner specified in paragraph (2).

(2) The disc shall be affixed to the top of the inside of the front windscreen on the passenger side of the vehicle so that—

- (a) on the side which faces outwards, the following particulars are clearly legible—
  - (i) the registration mark of the vehicle;
  - (ii) the maximum number of passengers which may be carried in the vehicle in accordance with the conditions of the licence for the vehicle;
  - (iii) the number of the London PHV licence for the vehicle;

---

(c) S.I. 2004/\*\*\*\*.

- (iv) the date of the expiry of the licence; and
  - (v) a statement that the licence has been issued by the Public Carriage Office of Transport for London; and
- (b) on the side which is visible from inside the vehicle, a statement that the vehicle is licensed by the Public Carriage Office of Transport for London is clearly legible.

## **Fees**

**6.**—(1) The fee payable, on the making of an application, by an applicant for a London PHV licence shall be [£84].

(2) The fee payable by a person granted a London PHV licence—

- (a) shall unless already paid, be payable on the grant of the licence; and
- (b) shall be [£56].

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

## **NOTES**

### **Amendment**

Para (1): “£84” in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2017, regs 2, 3(1).

Date in force: 3 October 2017: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2017, reg 1.

Para (2): “£56” in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2017, regs 2, 3(2).

Date in force: 3 October 2017: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2017, reg 1.

### **Register of licences**

**7.** In addition to the particulars specified in section 23(1)(a) of the 1998 Act, the register shall contain the following particulars for each London PHV licence issued or having effect under that Act—

- (a) the registration mark of the vehicle to which the licence relates;
- (b) an indication as to whether the licence—
  - (i) is a London PHV licence or a temporary permit; and
  - (ii) is current, suspended or revoked.

## **Prohibition of certain signs, notices etc.**

- 8.** [No signs or advertising material shall be displayed on or from a private hire vehicle], except:
- (a) badges or emblems on the radiator or windscreen which are issued by an organisation—
    - (i) providing vehicle repair or recovery services; or
    - (ii) concerned with driving skills and qualifications; [..]
  - (b) a sign displayed temporarily on a stationary vehicle which contains, and contains only:
    - (i) the name and address of a person operating the private hire vehicle, or the name under which he carries on that business and its address; and
    - (ii) the name of a passenger for whom a private hire booking has been [made; or]
- [(c) other signs or advertising material in such locations and for such purposes as the licensing authority may approve from time to time for either:
- (i) specified private hire vehicles; or
  - (ii) all private hire vehicles.]

## **NOTES**

### **Amendment**

Para 8: words in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, regs 2, 3

Date in force: 27 June 2016: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, reg 1

Para 8(a): paragraph (ii) word in square brackets repealed by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, regs 2, 3(1).

Date in force: 20 October 2007: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, reg 1.

Para 8(b): words “made; or” in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, regs 2, 3(3).

Date in force: Date in force: 20 October 2007: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, reg 1.

Para (c): inserted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, regs 2, 3(4).

Date in force: 20 October 2007: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2007, reg 1.

Signed by authority of Transport for London

2004

Robert Kiley  
Commissioner of Transport

## REQUIREMENTS PRESCRIBED UNDER SECTION 7(2)(c) OF THE 1998 ACT

**Vehicle type**

1. The vehicle must be a light passenger vehicle as defined by section 85 of the Road Traffic Act 1988(a).

**[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

---

(a) The definition of “light passenger vehicle” in section 85 of the Road Traffic Act 1988 was inserted by the Motor Vehicles (EC Type Approval) Regulations 1992, S.I. 1992/3107, Schedule 2, paragraph 5(3)(b).

- (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.

Table

	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
	<i>Vehicle’s age as calculated by reference to date of its first registration under the Vehicle and Excise Registration Act 1994</i>	<i>Date of grant of London PHV licence</i>	<i>Requirement to meet the stated Euro standard as a minimum</i>	<i>Requirement for the vehicle to be a ZEC vehicle as defined in paragraph 1D (2) below.</i>
<i>A</i>	All vehicles of any age	Between 1 January 2018 until 31 December 2019 (inc.1)	Euro 6 or (if a petrol-hybrid vehicle) Euro 4	No
<i>B</i>	Over 18 months old	Between 1 January 2020 until 31 December 2022 (incl.)	Euro 6	No
<i>C</i>	Under 18 months old	On or after 1 January 2020	Euro 6	Must be a ZEC vehicle
<i>D</i>	All vehicles of any age.	On or after 1 January 2023	Euro 6	Must be a ZEC vehicle

(2) A vehicle is a ZEC vehicle if it meets either of the following requirements:

- (a) It must emit no more than 50g/km CO<sub>2</sub> exhaust emissions (at tailpipe) as determined in accordance with Regulation 715/2007/EC and UN ECE Regulation 101 (as amended) and be capable of being operated with no (zero) such exhaust emissions for a minimum range of 16.093 km (10 miles); or

(b) It must emit no more than 75g/km CO<sub>2</sub> exhaust emissions (at tailpipe) as determined in accordance with Regulation 715/2007/EC and UN ECE Regulation 101 (as amended) and be capable of being operated with no (zero) such emissions for a minimum range of 32.187 km (20 miles).

(3) Nothing in sub-paragraph (1) above shall prevent a London PHV licence being granted to a vehicle before 1 January 2020 if it meets -

(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).]

### **Test certificates**

2. Unless the date on which the vehicle was first registered under the Vehicle Excise and Registration Act 1994(b) fell within the period of 12 months ending with the date on which the vehicle is produced for inspection by Transport for London, a test certificate must have been issued for the vehicle within the period of 14 days ending with the date of that inspection.

### **Licences**

3. A vehicle licence taken out under the Vehicle Excise and Registration Act 1994 must be in force for the vehicle.

### **Vehicle to have right hand drive**

4. The steering wheel of the vehicle must be on the right hand or off-side of the vehicle.

### **Wheelchair lifting equipment**

5. Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998(c).

### **Luggage space**

---

(b) 1994 c. 22.

(c) S.I. 1998/2307.



6. The vehicle must have a boot or luggage compartment which provides sufficient space to carry a reasonable amount of luggage for as many passengers as it is licensed to carry.

### **Construction and type approval requirements**

7.—(1) The vehicle must comply with—

- (a) all construction and use requirements applicable to it; and
- (b) all type approval requirements so applicable.

(2) For the purposes of paragraph (1) "type approval requirements" has the meaning given by section 54(1) of the 1988 Act and a vehicle shall be taken to comply with those requirements if—

- (a) an EC certificate of conformity (as defined by section 85 of that Act);
- (b) a Minister's approval certificate issued under section 58(1) of that Act; or
- (c) a Department's approval certificate issued under Article 31A(4) of the Road Traffic (Northern Ireland) Order 1981 has effect with respect to it.

### **Compliance with the manufacturer's specification**

8. Unless it has been modified or converted as mentioned in paragraph 9, the vehicle must comply with the original manufacturer's specification with respect to the braking system, steering, engine, transmission, fuel system, suspension and lighting.

### **Modified or converted vehicle**

9.—(1) Where a vehicle has been modified or converted since a certificate of the kind referred to in paragraph 7(2)(a), (b) or (c) was issued in respect of it, evidence must be produced to satisfy Transport for London that the vehicle as converted or modified complies with construction and use requirements.

(2) Where a vehicle has been converted or modified so as to be capable of propulsion otherwise than by petrol or diesel fuel, evidence must be produced to satisfy Transport for London that the conversion has been carried out, and subsequently tested at the recommended frequency, by a converter of vehicles who is listed as an approved supplier in relation to vehicles of the type in question—

- (a) in the PowerShift Register or the CleanUp Register maintained by the Energy Saving Trust; or
- (b) in a register maintained in an EEA State by a body equivalent to the Energy Saving Trust for purposes similar to those for which the PowerShift and CleanUp Registers are maintained.

### **Doors and windows**

**10.**—(1) The number of doors must be sufficient to allow safe access and egress for the number of passengers which the vehicle is licensed to carry.

(2) If the vehicle is fitted with a single door for the passenger compartment, that door must be fitted to the left hand or near side of the vehicle.

(3) Any devices fitted to the vehicle for operating doors and windows must be—

- (a) fitted to each door;
- (b) in full working order; and
- (c) accessible to passengers.

(1) Any child locks fitted to the vehicle must be in full working order.

#### **[Insurance**

**11.**—The vehicle must be insured to carry passengers for hire or reward.]

#### **NOTES**

##### **Amendment**

Sub-paragraphs 1A, 1B, 1C, 1D and 1E inserted by the Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2015: regs 2, 3.

Date in force: 1 November 2015: see the Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2015, reg 1.

Para 11: inserted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, regs 2, 4

Date in force: 27 June 2016: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, reg 1.

## PRESCRIBED CONDITIONS OF LONDON PHV LICENCES

**Use by persons other than the owner**

1. The owner of the vehicle shall keep a record, containing the information specified in condition 2, of each occasion on which the owner—
  - (a) allocates the vehicle to a London PHV operator for use as a private hire vehicle; or
  - (b) not being London PHV operator, permits any person to use the vehicle as a private hire vehicle.

**Contents of record kept under condition 1**

2. The record kept under condition 1 shall include—
  - (a) the registration mark of the vehicle;
  - (b) the name and address of the London PHV operator to whom the vehicle is allocated or of the driver permitted to use the vehicle;
  - (c) the number of the operator's London PHV operator's licence or of the driver's London PHV driver's licence;
  - (d) the date from which the vehicle was allocated to the operator or the driver was permitted to use it; and
  - (e) the date on which the vehicle ceased to be so allocated or used.

**Retention and production of record**

3. The record kept under condition 1—
  - (a) shall be retained by the owner for a period of at least 12 months beginning with the date specified in condition 2(e); and
  - (b) shall be produced by the owner for inspection at the request of an authorised officer.

**Change of ownership**

4. Where the ownership of the vehicle changes and the new owner intends to use the vehicle, or permit the vehicle to be used as a private hire vehicle, the new owner shall—
  - (a) notify the change to Transport for London in writing;
  - (b) return the existing licence to Transport for London for alteration of the owner's name;
  - (c) provide a declaration in writing to Transport for London—

- (i) that the Secretary of State for Transport has been notified of the change in accordance with the Road Vehicles (Registration and Licensing) Regulations 2002(d);
- [(ii) that the vehicle is insured to carry passengers for hire or reward]; and
- (iii) unless the vehicle was first registered under the Vehicle Excise and Registration Act 1994 within the period of 12 months ending with the date of the declaration, a test certificate was issued within the period of 6 months ending with the date of the declaration.

### **Number of passengers**

5. The number of passengers carried in the vehicle must not at any time exceed—
- (a) the number of passengers that it is licensed to carry; or
  - (b) the number of passenger seats fitted with seat belts.

### **Condition of the vehicle**

6. The vehicle shall be maintained in good and efficient mechanical condition and be properly adjusted.

### **Vehicles exempted from requirement to display an identification disc**

7. If the vehicle has been exempted by Transport for London pursuant to section 10(3) of the 1998 Act from the requirement under section 10(2) (display of identification disc), the London PHV licence in force for the vehicle, or a copy thereof, shall be carried in the vehicle while it is being used as a private hire vehicle.

### **Test certificates**

8.—(1) Subject to paragraph (2), on any day during the currency of the licence a test certificate must have been issued for the vehicle within the period of 6 months ending with the day in question.

(2) Paragraph (1) does not apply where a test certificate was not required to be produced in accordance with paragraph 2 of Schedule 1 when the current licence for the vehicle was issued.

### **Communication devices**

9.—(1) All radio equipment fitted to the vehicle must be fitted securely and safely and in accordance with guidelines for the time being published by the Radio Communications Agency.

---

(d) S.I. 2002/2742.

(2) All two-way radio equipment must be of a type for the time being approved by the Radio Communications Agency.

### **Compliance with the Road Vehicles (Registration and Licensing) Regulations 2002**

**10.** The owner shall comply with all relevant requirements of the Road Vehicles (Registration and Licensing) Regulations 2002 in relation to the vehicle.

#### **Display of additional disc**

**11.**—(1) Without prejudice to regulation 5 and section 10 of the 1998 Act, an additional disc issued by Transport for London shall be displayed on the rear windscreen of the vehicle while it is being used as a private hire vehicle, so that—

- (a) on the side which faces outwards, the particulars specified in regulation 5(2)(a) are clearly legible; and
- (b) on the side which faces inwards, particulars of how any passenger may make a complaint about the service provided by means of the vehicle and the address to which any complaint may be sent are clearly legible.

(2) This condition does not apply while a vehicle is being used in circumstances when it is, by virtue of a notice under section 10(3) of the 1998 Act, exempted from the requirement to comply with section 10(2).

#### **Vehicle licensed outside London**

**12.** If a licence granted under section 48 of the Local Government (Miscellaneous Provisions) Act 1976(e) (licensing of private hire vehicles in England and Wales outside Greater London) or an equivalent provision of a local Act is in force for the vehicle, the plate or disc issued in respect of the vehicle under section 48(5) of that Act (or its equivalent) shall not be displayed on the vehicle whilst it is being used as a private hire vehicle under its London PHV licence.

#### **Compliance with licensing requirements**

**13.** The owner shall not use the vehicle, or permit it to be used, as a private hire vehicle at any time when the vehicle is in such a condition that it would not meet the requirements of paragraphs 2 to 11 of Schedule 1.

#### **[Insurance**

**14.** The owner shall not use the vehicle, or permit it to be used, as a private hire vehicle at any time when there is not in force for the vehicle a policy of insurance, or such security as complies with the requirements of Part VI of the Road Traffic Act 1988, covering the use of the vehicle to carry passengers for hire or reward.

---

(e) 1976 c. 57.

[(2) Details of the insurance must be displayed in the vehicle at all times for the duration of the licence. Transport for London shall specify from time to time the details which are to be displayed and how they are to be displayed.]

### **[Advertising**

**15.** No advertising material shall be displayed in the vehicle other than in accordance with such requirements as Transport for London may specify from time to time]

### **NOTES**

#### **Amendment**

Para 4(c): words in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, regs 2, 5(i).

Date in force: 27 June 2016: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, reg 1.

Para 14: words in square brackets substituted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, regs 2, 5 (ii).

Date in force: 27 June 2016: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, reg 1. NB para 14(1) was quashed by a High Court Order dated 9 March 2017.

Para 15: words in square brackets inserted by Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, regs 2, 5(iii).

Date in force: 27 June 2016: see Private Hire Vehicles (London PHV Licences) (Amendment) Regulations 2016, reg 1.