



## **Private hire licensing Change in the definition of a London private hire vehicle**

The Private Hire Vehicles (London) Act 1998 provides for the licensing and regulation of London's private hire operators, drivers and vehicles. A private hire vehicle (PHV) is defined in the Act as a "vehicle constructed or adapted to seat fewer than nine passengers which is made available with a driver to the public for hire for the purpose of carrying passengers".

During the course of licensing London's private hire trade, it became apparent that some sections of the trade were avoiding licensing on the basis that their services were not being made available to the public; rather they were being used for contract work.

Section 54 of the Road Safety Act 2006 has now removed the term "to the public" from the 1998 Act. The effect of this amendment will be to make it irrelevant whether a vehicle is provided solely for contract work or to the public at large. Any vehicle that seats fewer than nine passengers and is made available with a driver for hire for the purpose of carrying passengers now falls within the meaning of the 1998 Act and those that have previously claimed exemption will be required to be licensed. The only exemptions will be those specifically stated in the 1998 Act i.e. licensed taxis, public service vehicles and vehicles used solely for weddings and funerals.

A similar change is being made outside London under Section 53 of the Road Safety Act 2006.

The Department for Transport has confirmed that it will ask for the new provision to be enacted on **1 April 2008**.

The PCO would therefore urge all parties to ensure that PHVs covered by this change, and the drivers and operators of those vehicles, are brought within the licensing regime without delay.

Given the processing times for driver and operator licence applications, the PCO would advise individuals who need to apply for such licences to submit their applications by the following deadlines:

**PHV operator licence applications: 7 November 2007**

**PHV driver licence applications: 30 November 2007**

Applications received after the deadline dates may not be processed in time for a licence to be issued. Those trading after the commencement date without the relevant licence would be doing so illegally and would be liable to prosecution.

Requests for advice on how this may affect your business or how to prepare for licensing should be made in writing to [s54projectteam@tfl.gov.uk](mailto:s54projectteam@tfl.gov.uk) or by post to S54 Project Team, Public Carriage Office, 15 Penton Street, N1 9PU

Licensing inspections for private hire vehicles are carried out by our service provider SGS United Kingdom Ltd. Appointments for such inspections can be made by phoning the SGS call centre on 0845 378 2345.

Further details about the licensing requirements for private hire operators, drivers and vehicles can be found on the TfL website  
<http://www.tfl.gov.uk/businessandpartners/taxisandprivatehire/2807.aspx>

A handwritten signature in black ink, appearing to read 'Mary Dowdye', enclosed within a large, hand-drawn oval shape.

**Mary Dowdye**  
**Head of Standards & Regulations**

**18 October 2007**