

## APPENDIX 1 – PENALTY POINT SCHEME

FOR BREACHES OR INFRINGEMENTS BY HACKNEY AND PRIVATE HIRE OPERATORS, DRIVERS AND VEHICLE PROPRIETORS

### SCALE OF PENALTY POINTS

REF No	BREACH/OFFENCE OR INFRINGEMENT	PENALTY POINTS
1	<b>Use/Cause/Permit</b> a vehicle to be driven with a defect contrary to Road Vehicle (Construction & Use) Regs 1986 (as amended) (per defect):	
	a) Defective tyres (including spare)	10
	b) Defective brakes	10
	c) Defective seat belts	10
	d) Defective steering	10
	e) Defective suspension	10
	f) Defective doors ( closing/ locking mechanism)	6
	g) Defective windscreen – cracked etc. in drivers view	6
	h) Defective bodywork– sharp edges, corrosion likely to cause injury to persons	6
	i) Defective headlamps, brake lights, sidelights	10
	j) Defective windscreen wipers/washers	6
	k) Defective exhaust	3
	l) Defective horn	3
m) Insecure battery which could be a fire risk.	10	

	n) Any other relevant defect not referred to above	6
2	Failing to produce Certificate of Compliance, MOT certificate, driving licence or insurance certificate, which is valid on the day of request, within 7 days of being requested	3
3	Obstructing an authorised officer or Police Officer	10
4	Failure to carry an assistance dog without an exemption notice	3
5	Using or allowing a vehicle to be used subject to a suspension/revocation issued by an Authorised Officer or Police Officer	20
6	Using an unlicensed vehicle or licensed vehicle without Insurance	20
7	Driver using a handheld mobile phone, handheld two way radio, whilst the vehicle is in motion	10
8	Presenting a licensed vehicle for testing in an unsafe or dangerous Condition	20
9	Providing false or misleading information on licence application form / failing to provide relevant information or the relevant fee (including dishonoured cheques)	10
10	Failure to submit a licensed vehicle that is 5 years old, or more for a 6 monthly MoT and provide documented proof to the Council that it has passed such a test. The Council will expect to see documentary evidence that such a test has been carried out within 4 weeks of the due date of the MoT test.	10
11	Operator failing to keep proper records or keep records in accordance with the licence conditions	3
12	Failing to notify the Council of details of road traffic collision within 72 hours	6
13	Failure to behave in a civil and orderly manner (including rude or aggressive behaviour) to a member of the public, licensed driver or Officer of the Council or Police Officer	10
14	Plying for hire by private hire drivers.	10
15	Carrying more passengers than the capacity stated on the vehicle licence.	20
16	Failure to carry an up to date fire extinguisher.	3

17	Failure to wear private hire/hackney carriage driver's badge.	3
18	Refusal to accept hiring without reasonable cause e.g. reasonable cause – when drunk or rude customer	6
19	Failure to observe rank discipline – taxi drivers (e.g. plying for hire outside the markings of one of the County's taxi ranks – parking in front or behind rank).	5
20	Failure to give assistance with loading/unloading luggage to or from any building or place, without reasonable cause e.g. temporary medical condition	3
21	Failure to attend punctually at appointed time and place without sufficient cause:	
	a) During daytime	3
	b) During the hours of darkness	6
22	Leaving a Hackney Carriage unattended whilst on a designated rank, without reasonable cause e.g. quick toilet break	3
23	Failure to comply with the Driver Dress Code	3
24	Failure to comply with the Code of Good Conduct	5
25	Displaying any feature on a private hire vehicle that may suggest that it is a taxi vehicle.	5
26	Failure to carry a legal spare wheel and tools or other method of repair e.g. foam/run flat tyre	3
27	Failure to display the external/internal licence plate or signs as required.	3
28	Displaying unsuitable or inappropriate sited signs or unauthorised advertisements in or on the vehicle.	3
29	Charging hackney carriage passenger more than the metered or agreed fare	6
30	Failure to return a vehicle licence plate within 7 days after request	6
31	Using a non-approved or non-calibrated taximeter	6
32	Unreasonably prolonging a journey or any misconduct regarding the charging of fares	6
33	Failure to notify the Council, in writing, of any conviction, caution, fixed penalty or similar within 7	6

	working days	
34	Failure to notify the Council, in writing, of a change of address within 7 working days	3
35	Failure to notify, in writing, a change in medical circumstances	6
36	Unsatisfactory condition of a vehicle (interior or exterior):	
	a) Dirty exterior	3
	b) Filthy and stained interior	6
	c) Other non-compliant licensable condition (as required by the "Blue Book")	3
37	Driving or parking in a manner likely to cause inconvenience, distress or danger to members of the public e.g. tailgating/speeding/overtaking/furious driving	10
38	Parking in contravention of public highway parking restrictions including occupying/parking in a loading bay	5
39	Parking/stopping or picking up or dropping off passengers on zigzags of a pedestrian crossing or school entrance	6
40	Failing to display Hackney Carriage fare card in vehicle	3
41	Failure to present vehicle for inspection by an authorised officer at required time/location.	10
42	Private Hire driver charging or attempting to charge more than the fare agreed with the customer by the operator	6
43	Private hire vehicle parking / waiting on a taxi rank	6
44	Smoking in a licensed vehicle, and allowing passengers to smoke in a licensed vehicle	10
45	Failure to display in a licensed vehicle, no smoking signage as prescribed in the Health Act 2006	3