



Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

2022 CHAPTER 14

An Act to make provision about licensing in relation to taxis and private hire vehicles for purposes relating to the safeguarding of passengers and road safety; and for connected purposes. [31st March 2022]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Relevant information

1 Relevant information

- (1) In this Act “relevant information”, in relation to a person, means information indicating that the person—
- (a) has committed a sexual offence (whether or not the person was charged with, prosecuted for or convicted of the offence);
 - (b) has harassed another person;
 - (c) has caused physical or psychological harm to another person;
 - (d) has committed an offence that involves a risk of causing physical or psychological harm to another person (whether or not the person was charged with, prosecuted for or convicted of the offence);
 - (e) has committed an offence under section 165, 168 or 170 of the Equality Act 2010 (whether or not the person was charged with, prosecuted for or convicted of the offence);
 - (f) has done anything that, for the purposes of the Equality Act 2010, constitutes unlawful discrimination or victimisation against another person;
 - (g) has threatened, abused or insulted another person;
 - (h) poses a risk to road safety when driving;

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- (i) may be unsuitable to hold a driver’s licence for other reasons relating to—
 - (i) the safeguarding of passengers, or
 - (ii) road safety.
- (2) A reference in [subsection \(1\)](#) to an offence includes a reference to the following offences—
 - (a) attempt to commit the offence;
 - (b) conspiracy to commit the offence;
 - (c) aiding, abetting, counselling or procuring the commission of the offence;
 - (d) incitement to commit the offence;
 - (e) an offence under Part 2 of the Serious Crimes Act 2007 in relation to the offence.
- (3) A reference in [subsection \(1\)](#) to an offence (including a reference having effect by virtue of [subsection \(2\)](#)) includes a reference to conduct that would have constituted the offence if it had been done in England and Wales.
- (4) In this section, “sexual offence” means—
 - (a) an offence under any of sections 1 to 12 and 14 to 17 of the Sexual Offences Act 1956 (rape, unlawful intercourse, indecent assault, forcible abduction etc);
 - (b) an offence under section 128 of the Mental Health Act 1959 (unlawful intercourse with person receiving treatment for mental disorder by member of hospital staff etc);
 - (c) an offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards child under 14);
 - (d) an offence under section 9 of the Theft Act 1968 of burglary with intent to rape;
 - (e) an offence under section 54 of the Criminal Law Act 1977 (incitement of child under 16 to commit incest);
 - (f) an offence under Part 1 of the Sexual Offences Act 2003;
 - (g) an offence under section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).

Licensing information database

2 Duty to record information about licensing decisions in database

- (1) This section applies where, relying wholly or in part on relevant information relating to a person, a licensing authority decides—
 - (a) to refuse the person’s application for a driver’s licence,
 - (b) to refuse the person’s application for the renewal of a driver’s licence,
 - (c) to suspend the person’s driver’s licence, or
 - (d) to revoke the person’s driver’s licence.
- (2) The licensing authority must—
 - (a) make an entry recording the decision, and the information listed in [subsection \(4\)](#), in the licensing information database,
 - (b) ensure (whether by amending, removing or reinstating it) that the entry is kept up-to-date so as to reflect any subsequent change made to the decision—

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- (i) by the authority,
 - (ii) on appeal against the authority's decision, or
 - (iii) on any subsequent appeal,during the period of 11 years beginning with the day on which the entry is first made, and
 - (c) keep a record of the relevant information and the decision until the end of the period referred to in [paragraph \(b\)](#).
- (3) The reference in [subsection \(2\)\(b\)](#) to a subsequent change made to the decision includes a reference to a subsequent decision by the authority to grant a driver's licence to the person.
- (4) The information is—
- (a) the person's full name, date of birth, home address and national insurance number;
 - (b) if the person holds a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988, the driver number shown on the licence;
 - (c) if the person holds a Northern Ireland driving licence, the driver number shown on the licence;
 - (d) if the person holds a Community licence, the number of the licence;
 - (e) the name of the licensing authority and details of how further information about the decision can be obtained from the authority;
 - (f) the date on which the decision was made and (if different) the date on which it takes effect;
 - (g) the date on which any subsequent change to the decision was made and (if different) the date on which it takes effect;
 - (h) if the decision is to suspend the person's driver's licence for a period, the date on which the suspension is to end;
 - (i) such other information as the Secretary of State may by regulations made by statutory instrument prescribe.
- (5) The licensing authority must—
- (a) comply with [subsection \(2\)\(a\)](#) within the period of 5 working days beginning with the day on which the licensing authority notifies the person of its decision, and
 - (b) comply with [subsection \(2\)\(b\)](#) as soon as practicable after becoming aware of the change in question.
- (6) Regulations under this section may make different provision for different purposes.
- (7) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section "Community licence" and "Northern Ireland driving licence" have the meaning given by section 108(1) of the Road Traffic Act 1988.

3 Duty to search database and have regard to relevant information

- (1) Before making a decision on a person's application for, or for the renewal of, a driver's licence, a licensing authority ("the decision-making authority") must search the licensing information database for entries relating to the person.