1991 No. 454

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Taxi Drivers' Licences) Regulations (Northern Ireland) 1991

Made . . . . . *1st October 1991*

Coming into operation . . *21st October 1991*

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The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(**a**) and 79A(**b**) of the Road Traffic (Northern Ireland) Order 1981(**c**) and of all other powers enabling it in that behalf, and with the approval of the Department of Finance and Personnel(**d**) as regards regulations 4(1) and 5(4), makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Taxi Drivers' Licences) Regulations (Northern Ireland) 1991 and shall come into operation on 21st October 1991.

Interpretation

2. In these Regulations—

"the Order" means the Road Traffic (Northern Ireland) Order 1981;

"centre" means a vehicle inspection centre of the Department used by an inspector of vehicles for the inspection of vehicles;

"examiner" means an inspector of vehicles or driving examiner in the Department;

"licence" means a taxi drivers' licence;

"ordinary driving licence" means a licence to drive a motor vehicle granted under Part II of the Order.

PART II

LICENCES

Application for a licence

3.—(1) An application for a licence shall be made to the Department on a form issued by the Department.

(**a**) *See* the definition of "Department" and "prescribed"
(**b**) Article 79A was inserted in the Road Traffic (Northern Ireland) Order 1981 by Part II of Sch. 3 to S.I. 1991/197 (N.I. 3)
(**c**) S.I. 1981/154 (N.I. 1)
(**d**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3

(2) The applicant shall furnish all relevant particulars and make any relevant declaration specified in such form.

(3) The applicant shall send with his application any ordinary driving licence or licence to drive a taxi held by him.

(4) A first application shall be accompanied by a certified copy of the applicant's birth certificate or other satisfactory evidence as to his age.

(5) An applicant shall, if requested by the Department, furnish with any application a medical report in such form as the Department may require, signed by a registered medical practitioner not more than 4 months prior to the date on which the licence is to take effect.

Fee for a licence

4.—(1) The fee for a first licence shall be £61·50 and for renewal of a licence shall be £40·00.

(2) The fee shall be paid when application for a licence is made.

Grant of new licences to replace lost, stolen, defaced or destroyed licences

5.—(1) If the holder of a licence satisfies the Department that the licence has been lost, stolen or accidentally defaced or destroyed, the Department shall grant to him a new licence for the remainder of the period for which the original was granted, on payment of the fee prescribed in paragraph (4).

(2) An application for a new licence under paragraph (1) shall be on a form issued by the Department.

(3) In the case of the loss or theft of a licence, if at any time after the issue of a new licence the original licence is found, the licence holder shall take all reasonable steps to obtain it and return it to the nearest centre or any police station.

(4) The fee for a new licence under paragraph (1) shall be £8·80.

Duration and renewal of licence

6. A licence shall, if not revoked or suspended, remain in force for 5 years and may be renewed for a further period of 5 years if application is made to the Department as prescribed by regulation 3.

Conditions of licence

7.—(1) If during the currency of his licence, the licensee changes his address, he shall communicate forthwith particulars of the change to the headquarters of the Vehicle Inspection and Driving Test Branch.

(2) If during the currency of his licence, the licensee is convicted of any offence, he shall communicate immediately in writing particulars of the conviction to said headquarters.

(3) A licensee shall, if requested by the Department, furnish during the currency of his licence, a medical report, signed by a registered medical practitioner, in such form as the Department may require.

(4) While a taxi is being used in standing or plying for hire, or carrying passengers for hire but not in connection with a wedding or a funeral, the driver shall wear a badge supplied by the Department.

(5) The driver shall wear the badge in a conspicuous position on his person.

(6) The driver shall not—

(*a*) either by writing, drawing or in any other manner, deface, mutilate or add anything to the badge;

(*b*) transfer the badge to any other person.

(7) Where a licence has been revoked or suspended under regulation 8, the licensee shall return the badge to the Department within 7 days from the date of suspension or revocation.

(8) Save as provided in paragraph (9), on being required to do so by an examiner, or a constable, the licensee shall forthwith produce his licence for examination.

(9) If any person is unable to produce his licence when required to do so in accordance with paragraph (8) it shall be a sufficient compliance with that paragraph if—

(*a*) in a case where the licence was required by a constable to be produced, within 5 days after the production of the licence was so required, it is produced in person by the licensee for examination at such police station as may have been specified by him at the time its production was required; or

(*b*) in a case where the licence was required by an examiner to be produced, within 10 days after the production of the licence was so required, it is made available for examination at an office of the Department specified by the examiner at the time its production was required.

Revocation or suspension of licence

8.—(1) The Department may revoke or suspend a licence if—

(*a*) it has been obtained by misrepresentation;

(*b*) the licensee fails to comply with a condition upon which the licence has been granted;

(*c*) the licensee has been convicted of an offence under the Order or an instrument made under it;

(*d*) the Department becomes aware that the licensee has had an epileptic attack as described in regulation 14(1)(*a*) or is suffering from any of the disabilities referred to in regulation 14(1)(*b*);

(*e*) during the currency of the licence the Department becomes aware that the licensee is not a fit and proper person to hold the licence.

(2) In the event of revocation or suspension—

(*a*) the Department shall serve written notice on the licensee of such revocation or suspension and shall in the case of suspension specify in the notice the period of suspension;

(*b*) the notice shall state the reasons for the revocation or suspension; and

(*c*) the licensee shall acknowledge receipt of such notice in writing to the headquarters of the Vehicle Inspection and Driving Test Branch and deliver up the licence at the place specified in the notice within 7 days.