

Regulatory Committee Guidance/Policy Note

“Pre-booked Hires Only” Door Stickers on Private Hire Cars.

- 1 Private Hire Car “Pre-booked Hires Only” door stickers have been carried by the vast majority of private hire cars in Edinburgh since November 2009.
- 2 The stickers are important as they remind drivers and the public that these vehicles can only be pre-booked. They also assist the public in identifying genuine licensed private hire cars and reduce the risk of their getting into unlicensed vehicles.
- 3 The carrying of stickers is a reasonable condition of licence and failure to carry them is (1) a criminal offence and (2) a matter that could lead to suspension or removal of the operator’s licence.
- 4 Door stickers of a similar type are in use throughout many parts of the UK. Very few complaints have been received from operators in Edinburgh about the fitting or removal of the stickers.
- 5 The stickers were designed on the basis that they would not be removed from the vehicle on a regular basis. Removal of the sticker destroys a holographic mark on the sticker, thereby minimising the risk of stickers being stolen on placed on unlicensed vehicles.
- 6 If a licenceholder with the door sticker condition already on his licence wishes to seek exemption from carrying the stickers, he would have to make an application for variation of his licence. A person applying for the grant of a new licence or applying for renewal of their licence can ask that the sticker requirement should not apply to their licence.
- 7 In dealing with the foregoing matters, the following guidance is provided:
 - (a) Notwithstanding the terms of this Guidance/Policy Note, the Committee has to consider each situation on its own merits and circumstances.
 - (b) The stickers perform an important function and there should be a presumption that they will be fitted.
 - (c) If the sticker is already on a licensed vehicle already, there should be a presumption that they remain on the vehicle.
 - (d) A licensed private hire car is always a licensed vehicle and the door sticker should remain on the vehicle at all times. There should therefore be no need to remove a sticker when the vehicle is not being used as a private hire car.
 - (e) It appears that a private hire car can be driven by a person who is not a licensed taxi or private hire car driver, provided the vehicle is not being

used to carry fare paying passengers and appropriate insurance is in place. If the vehicle is being driven by a licensed driver or unlicensed driver for social or personal use, it is recommended that the vehicle should still carry the pre-booked hire door sticker at all times.

(f) Operators should make suitable insurance and practical parking/garaging arrangements to minimise damage to their vehicle when left unattended and temporary removal of the stickers should not be required.

(g) Non standard or magnetic door stickers should not be permitted. They could be easily removed, applied to unlicensed vehicles and/or cause a road safety hazard.

(h) When considering requests for exemptions from operators who use vehicles for occasional weddings/funerals, the Committee should have regard to whether the vehicle is of a special type, design and condition that is normally associated with wedding/funeral use. Any operators who wish to use vehicles only for funerals or weddings have the option to operate without a private hire car licence under the exemption provided by S22(b) of the Civic Government (Scotland) Act 1982. Operators wishing to purchase expensive speciality vehicles for wedding use may have to consider using such a vehicle for weddings and operating another vehicle as a licensed private hire car for day to day use.

(i) Requests for exemption on the suggestion that they are used for special "executive hire" should not generally be allowed, as it is considered that the stickers do not detract from the appearance of the vehicle to any material extent. Any operators who wish to use vehicles for special executive hire have the option to operate without a private hire car licence under the exemption provided by S22(c) of the Civic Government (Scotland) Act 1982. This relates to vehicles which are exclusively hired under one contract for their exclusive hire for a period not less than 24 hours.

(j) Requests for exemption on the grounds that the placing of the stickers would invalidate or affect their bodywork/paintwork warranty should not be generally permitted. The operators should have taken this into account before they purchased the vehicle for use as a private hire car and/or they should have sought exemption before the condition was introduced in October 2009. They would therefore be regarded as having acquiesced to the fitting of the stickers as they did not formally object to the imposition of the sticker requirement.

(k) Special circumstances have been considered for the small number of persons who did not agree to the condition being placed on their licence last October if they suggest that their bodywork/paintwork may be invalidated or affected by fitting of the stickers. These operators may have to be distinguished as they purchased their vehicles and made their financial calculations without the knowledge that the stickers would be applied.

(1) Operators in this small group should be required to provide evidence as to when they purchased and licensed their vehicle as a private hire car and the relevant bodywork/paintwork guarantee/warranty documentation;

(2) If it can be shown by the operator that the imposition of the sticker requirement may invalidate his warranty, it is suggested that the Committee may wish to allow exemption for that vehicle for such time as it remains licensed by that operator;

(3) If it can be established that the operator has possibly invalidated his warranty by other actions, e.g. possibly carrying magnetic door stickers, the Committee may not wish to grant exemption;

(4) Some of the persons in this small group have purchased new vehicles since 7 October 2009. It is suggested that these operators should not be granted exemption as they were aware of the likely requirement to carry the stickers.

- (l) If the Committee is minded to allow exemption, it may wish to require that:
- (a) the exemption would only apply to that particular vehicle whilst it is licensed by that operator and that, if the vehicle is replaced, the exemption would no longer apply, their next vehicle would have to bear the sticker (although they could apply for an exemption for that vehicle if they wish); and
 - (b) the rear licence plate would carry the wording "Door Sticker Exemption".