

## Waveney District Council - Rickshaw Licensing Policy

### Introduction

Auto-Rickshaws or Tuk-Tuks are motorised, (electric motor or traditional internal combustion) typically with three wheels, designed for various uses one of which being for the purpose of carrying fare paying passengers – normally two or three although larger vehicles can carry up to six passengers.

Cycle-Rickshaws or Pedicabs, are pedal powered cycles (sometimes electrically assisted) with typically three or four wheels, used for the purpose of carrying fare paying passengers – normally two.

For either category of vehicle, motorised or un-motorised, utilising one to transport passengers on a 'hire and reward' basis requires regulation.

For the purpose of this guidance and policy we will refer to motorised vehicles as Auto-Rickshaws and the pedalled vehicles as Cycle-Rickshaws and where the policy relates to either simply 'Rickshaws'.

Licensed rickshaws within the Waveney district must be restricted to predetermined routes, notified to the Licensing Team, having been pre-agreed with the relevant **Town Council**. No meter will be required but fares must be clearly displayed.

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Bungay	Mr P Morrow, 11 Wharton Street, Bungay, NR35 1EL. Tel: 01986 892361	
Halesworth	Tel: 01986 874517	Email: <a href="mailto:clerk@halesworthtowncouncil.org.uk">clerk@halesworthtowncouncil.org.uk</a>
Lowestoft	Tel: 033 0053 6019	Email: <a href="mailto:admin@lowestofttowncouncil.uk">admin@lowestofttowncouncil.uk</a>
Southwold	No applications for the use of Rickshaws will be considered within Southwold.	

Licensed rickshaws may not ply for hire on the ranks used by the hackney carriage vehicles and licensed rickshaws must to park on private land when not in use.

The safe number of passengers that can be carried in each vehicle must be assessed and determined by the Senior Vehicle Examiner and this number would be displayed on the licence plate issued by the Council.

The vehicle licence plate, issued by the Council, must be affixed to the outside of the rear of the vehicle; this plate would also display the expiry date of the licence.

Any licence/s would be revoked in the event of the Council being reasonably satisfied that a breach of any conditions applying to the Council's licence or any act or byelaw relating to rickshaws had occurred.

### Application Criteria

Any person applying to drive or ride a rickshaw for hire and reward within the Waveney district will be required to firstly obtain a **Hackney Carriage Driving Licence** in accordance with the application procedure outlined in the Council's Hackney Carriage and Private Hire licensing policy.

This application procedure entails fitness and suitability checks to include criminal record checks, the requirement to hold a DVLA driving licence and a medical certificate to the DVLA Group 2 standard.

An applicant who would like to restrict their application to cover operating a rickshaw only can obtain a **Rickshaw Hackney Carriage Drivers Licence** and would not be required to undertake the driving

standards and geographical tests compulsory for Hackney Carriage applicants; but could 'upgrade' to a full Hackney Carriage Drivers Licence by undertaking these tests (and any other tests/requirements that might be introduced as part of the Hackney Carriage / Private Hire application criteria in the future) at a later stage.

From the 1 December 2016, licensing authorities will be required to check the immigration status and right to work of all those applying for taxi (rickshaw) licences.

The rickshaw to be used for hire and reward also requires a licence issued by the same Local Authority – **Rickshaw Hackney Carriage Vehicle Licence**.

### **Vehicle conditions**

1. A licensed Auto-Rickshaw must be of a design which has the driver/rider to the front and the passengers seated to the rear. Cycle-Rickshaws may be of a design where the passengers are forward facing.
2. The rickshaw whether pedalled, electrically motorised or powered by the traditional two-stroke engine, must be limited to three wheels.
3. The safe number of passengers that can be carried in each rickshaw must be assessed and determined by the Senior Vehicle Examiner and this number would be displayed on the licence plate issued by the Council.
4. The vehicle licence plate, issued by the Council, must be affixed to the outside of the rear of the vehicle; this plate would also display the expiry date of the licence.
5. A fully paid up insurance policy in respect of the vehicle, covering public liability insurance in the sum of £5 million must be in place during the term of the licence and this policy must be produced to an authorised officer of the Council at such times and at such places as may be reasonably required.
6. Auto-rickshaws must comply at all times with the law and the licensee shall produce such evidence of insurance, MOT, registration and excise licence as the Council may require.
7. Cycle-rickshaws must comply, where applicable, with:
  - a. The Pedal Cycle (Construction and Use) Regulations 1983 and The Pedal Cycle (Construction and Use) (Amendment) Regulations 2015.
  - b. The Pedal Bicycle (Safety) Regulations 2010.
  - c. The Electrically Assisted Pedal Cycle Regulation 1983 and The Electrically Assisted Pedal Cycle (Amendment) Regulations 2015.

And in addition, have two rear position lamps and two rear reflectors.

8. The rickshaw must be produced for examination and inspection at an approved garage prior to being licensed and then annually prior to each renewal and at such times and at such places as may reasonably be required.

*Note: arrangements can be made for the rickshaw inspection by telephoning the Council's Senior Vehicle Inspector on (01502) 527143).*

9. The Council must be notified if any alteration is proposed to be made to any part of the vehicle before such alteration is carried out.

10. Licensed rickshaws must be fitted with seatbelts or lap belts which will be adequate to retain the passenger in the vehicle and must bear an EC or BSI mark.
11. Licensed rickshaws must be kept in good order, the inside and outside clean and braking machinery efficient and all fixtures and fittings on the rickshaw are to be well maintained at all times.
12. Licensed rickshaws must comply with the Road Vehicle Lighting Regulations 1989 and in addition, any other electrical equipment fitted must be maintained in good condition and be fully functional.
13. Tyres must have a clearly visible tread pattern over the entire circumference and over the full breadth of the tyre with no exposed chord. Tyres must also be suitable for the proposed load being carried.
14. The floor of the rickshaw must be covered with mats of a suitable material.
15. Licensed rickshaws must either have a watertight roof and a means of opening and closing windows or, in the case of an open carriage, be used in fair weather conditions only.
16. The seats of a licensed rickshaw must be properly cushioned or covered; fittings and furniture must be kept clean and adequate for the convenience of persons conveyed therein.
17. Wheels in the vicinity of the passenger compartment must be covered for the protection of the passengers and their clothing.
18. A basic first aid kit must be carried on all licensed rickshaws.
19. All accidents involving the rickshaw must be notified to the Council, by the proprietor, within 72 hours.
20. An unfit vehicle notice could be issued by an authorised officer of the Council, to any operator or driver whose vehicle is deemed unfit to use or whose vehicle is in breach of any of the above conditions. The unfit vehicle notice would prohibit the rickshaw from being used until the defect has been rectified to the satisfaction of the authorised officer.
21. A rickshaw vehicle licence would be revoked in the event of the Council being reasonably satisfied that a breach of the foregoing conditions or any act or byelaw relating to hackney carriages has occurred.

### **Enquiries**

If you have any questions or concerns about the application procedure or any of the information contained in this policy please contact: Licensing Team on tel. 01502 523620.

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