



Who can drive a licensed vehicle ?

Taxi Compliance Officer Information Sheet 17

What is a licensed vehicle ?

We mean a Hackney Carriage or Private Hire Vehicle with a current licence granted by a Licensing Authority, usually a Council. If a vehicle licence is suspended by the Council or the Police, it is no longer a Licensed Vehicle for the period of the suspension.

Who can drive a Licensed Vehicle ?

It is a criminal offence to drive a licensed vehicle if you do not hold a valid drivers licence granted by the same Council who licenses a vehicle. The licences have to “match” – for example, a Bristol licensed driver can’t drive a South Gloucestershire licensed vehicle, a Private Hire driver can’t drive a Hackney carriage.

Law - For Private Hire Vehicles : s46 Local Government (Miscellaneous Provisions) Act 1976 – Fine of up to £1000.

Law - For Hackney Carriages : Section 47 Town Police Clauses Act 1847 – Fine of up to £1000.

In short, NO BADGE = NO DRIVE.

Can my partner drive my licensed vehicle ?

Unless they have a badge – NO.

What if my partner wants to do a school run or shopping in my licensed vehicle ?

It doesn’t matter what the vehicle is being used for. It doesn’t matter if it’s being used for “taxi” work or not. It also doesn’t matter if they are insured to drive the vehicle or the “taxi” plates are removed. The rules apply all the time. NO BADGE = NO DRIVE.

LAW - Stated case : For PHV, Benson v Boyce 1997. For HC, Yates v Gates 1970

What if my badge is expired or has been suspended or revoked ?

Even though it might be your vehicle, and you might be insured to drive it, you would still commit a criminal offence if you drive it. NO BADGE = NO DRIVE.

To be able to drive your vehicle legally, you would need to surrender the licence (end it). Some councils may consider suspending the vehicle, but because of the appeal period you would not be able to drive it until 21 days after the vehicle licence is suspended by them.

If a vehicle licence is suspended it is no longer a Hackney Carriage/Private Hire Vehicle and you won't be able to use bus lanes or other exemptions you might have. You'll need to remove the plates to give them to the Council until the licence is reinstated.

For Bristol drivers, if you take your vehicle for a test at Sandy Park garage and your badge is expired then the garage will refuse to test your vehicle and you will lose your fee

What happens if I let someone without a badge drive my licensed vehicle ?

The driver may be prosecuted for the offence, and you may also be prosecuted for aiding and abetting them in the offence. If they are also uninsured, you could be further prosecuted for Permitting the Use of a vehicle without insurance.

The matter may also be referred to your Council, who will decide if you are still a Fit and Proper person to hold a licence.

If the driver has been taking "taxi" work whilst using the vehicle, it becomes a more serious matter and there are further offences which may also be committed.

Are there any exceptions ?

Yes, mechanics are allowed to drive licensed vehicles for testing/repairs. However, using an unlicensed driver to take the vehicle to or from a garage is not allowed.

Law – schedule 7, section 139(2) Transport Act 1980

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This is one of a series of information sheets produced for the benefit of Driver, Vehicle and Operator licence holders by Police Constable 4645 Patrick QUINTON, Taxi Compliance Officer, The Bridewell Police Station, Bristol, BS1 2AA

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To join the "Taxi Cop" WhatsApp group, and get information about PC Quinton's work, news updates and licensing/law updates, send a message to 07469 400832. Your details will not be visible to any other members of the group and your privacy is protected.

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Note : In this document, "taxi" means both Hackney Carriages and Private Hire Vehicles.

Disclaimer : This is general guidance on the law which may change. This is not legal advice, and you should seek professional legal advice about your individual case or matter.