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**TITLE: UPDATE ON STRETCHED LIMOUSINE GUIDANCE AND CONSIDERATION OF THE COUNCIL'S CURRENT LICENCE CONDITIONS.**

Committee: Licensing

Date: 13<sup>th</sup> April, 2011

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[K325]

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1.0 ISSUE

1.1 To update Members on the current status of national discussion relating to stretched limousines and to consider the position regarding the Council's existing licence conditions relating to stretched limousines, with a proposal to consult on a revised set of vehicle licence conditions.

2.0 RECOMMENDATION(S)

2.1 That Members note the content of the report, and

a) Agree to a consultation exercise being carried out on a revised set of vehicle licence conditions relating to stretched limousines. The consultation exercise to be carried out with the taxi/private hire trade, licensed drivers and operators, and relevant safety organisations, and

b) To recommend a further review of licence conditions, where necessary, as a result of the Traffic Commissioners report and the production of any National Guidance produced by Local Government Regulation (LGR) should there be implications for stretched limousine licence conditions.

3.0 BACKGROUND/OPTIONS

3.1 The Council currently has licence conditions in place for stretched limousines (Appendix 1, Pages 42 and 43)

3.2 Stretch limousines that have less than 9 passenger seats are required to be licensed as Private Hire vehicles under the Local Government (Miscellaneous Provisions) Act 1976, whilst Stretch limousines carrying 9 or more passengers are required to be licensed by VOSA as a Public Service Vehicle (PSV). Vehicles with up to 8 passenger seats, including stretched limousines used solely for weddings and / or funerals, are exempt from Private Hire Vehicle Licensing.

- 3.3 The Local Government (Miscellaneous Provisions) Act 1976 states that a District Council shall not grant a private hire vehicle unless they are satisfied that the vehicle is
- (i) suitable in type, size, design and for the use as a private hire vehicle
  - (ii) not of such a design and appearance as to lead any person to believe that the vehicle is a hackney carriage
  - (iii) in a suitable mechanical conditions
  - (iv) safe, and
  - (v) comfortable
- 3.4 Local Government Regulation (LGR, formerly LACORS) have formed a Stretched Limousine Working Group to consider the relevant safety issues, inspection, licensing and enforcement of stretched limousines within the Country.
- 3.5 The Traffic Commissioners Annual report contains a report on limousines and novelty vehicles, and suggests 4 options for the future direction and division of responsibility with regard to the inspection and enforcement of stretch limousines and novelty vehicles.
- <http://www.dft.gov.uk/pgr/roads/tpm/trafficcommissioners/annualreports/trafficcommissioners/pdf/trafficcommissioners0910.pdf>
- 3.6 Many American Stretched Limousines that have been imported into this Country are Lincoln Town Cars, manufactured by Ford. The remaining are mainly Cadillac. Ford and Cadillac operate a network of approved converters, all of which are in America. The conversion companies are supplied with a specially strengthened chassis and the vehicle is built on to this. The chassis is designed to carry the extra weight of the 'stretch' which is typically 10 foot.
- 3.7 In cases where vehicles in the UK have not been converted (stretched) by an approved converter, Ford will not honour the original warranty because of the extra strain on the chassis, brakes and suspension.
- 3.8 The Council's current licence conditions recognise these issues under conditions 5.4 (a) and (b) by requiring that vehicles meet the QVM (Quality Vehicle Modifier) issued by Ford Motor Company or the CMC (Cadillac Mastercoach Builder) standards and have documentation.
- 3.9 Having discussed the Council's current licence conditions for stretched limousines with a member of the Vehicle Certification Agency (VCA), it has been confirmed that when a QVM or CMC is issued for a vehicle, whilst it is a valid licensing check, there are higher levels of safety certification that need to be requested by Licensing Authorities.
- 3.10 For vehicles that have been imported independently, they must be licensed and registered immediately after arrival. The vast majority of limousines

imported in to GB are exported from the USA. Legislation governing the construction and use of vehicles is significantly different in America and therefore the vehicles will require modifications before being compliant with GB requirements. Such vehicles on import are required by UK law to have an inspection under the Individual Vehicle Approval scheme (IVA) where the vehicle is under 10 years of age.

- 3.11 The Vehicle Certification Agency (VCA) suggest that Local Authorities require a Voluntary SVA (Single Vehicle Approval) for vehicles that are more than 10 years old or a Voluntary Individual Vehicle Approvals (IVA) for vehicles that are less than 10 years old , which will look at the safety of the vehicle, including for example, brake safety and capability, which is often overlooked when cars are modified. The inspection also ensures that the vehicle conforms with equivalent EU/UK Safety Standards.
- 3.12 The Hackney Carriage and Private Hire Vehicle National Inspection Standards ‘ A best practice guide produced by the Hackney Carriage and Private Hire Inspection Technical Officer Group’, also includes reference to suggested passenger notices and driver declaration in connection with the licensing of stretched limousines, which the Council have not adopted as licence conditions.

<http://agendas.luton.gov.uk/cmwebpublic/Binary.ashx?Document=19068>

- 3.13 The suggested Stretched Limousines revised conditions for consultation, which incorporate existing conditions, are at Appendix 2.
- 3.14 In line with best practice as outlined in the Department of Transport , “Taxi and Private Hire Vehicle Licensing: Best Practice Guidance”, March 2010, a 12 week consultation exercise with the trade and relevant organisations is recommended.

#### 4.0 ARGUMENTS/CONCLUSIONS

- 4.1 The Council currently has licence conditions in place for stretched limousines, and whilst the conditions are still relevant, it is recommended that a higher level of safety inspection be introduced for public safety in line with current best practice and Department for Transport Guidance, and to require a Voluntary IVA / SVA inspection document.
- 4.2 A 12 week consultation with the trade and relevant organisations such as VOSA and VCA will assist in ensuring conditions are relevant and robust for passenger safety in stretched limousines, and that they are accurate and current.
- 4.3 It is extremely important that vehicles licensed by the Council for private hire purposes, particularly those that have been modified and/or imported meet relevant standards, especially where they are more that 10 years of age.

## 5.0 FINANCIAL IMPLICATIONS

5.1 Conducting a consultation exercise, which would be through the Council web site, and by post.

## 6.0 APPENDICES

Appendix 1 Taxi and Private Hire Guide, May 2009, version 5. Pages 42 and 43

[http://www.eastcambs.gov.uk/sites/default/files/licensing/taxi\\_private\\_hire\\_guide\\_64124.pdf](http://www.eastcambs.gov.uk/sites/default/files/licensing/taxi_private_hire_guide_64124.pdf)

<http://agendas.luton.gov.uk/cmwebpublic/Binary.ashx?Document=19068>

Appendix 2 Suggested Conditions for Stretched Limousines for consultation.

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### **Background Documents**

### **Location**

### **Contact Officer**

Taxi and Private Hire Guide, May 2009, version 5.

Guidance for Operators of stretch limousines VOSA, DFT.

Limousines and Novelty vehicles, Report of Nick Jones, Lead traffic Commissioner on issues relating to limousines and novelty vehicles.

Hackney Carriage and Private Hire vehicle national inspection Standards, A best practice guide produced by the Hackney Carriage and Private Hire Inspection Technical Officer Group.

Department of Transport "Taxi and Private Hire Vehicle Licensing: Best Practice Guidance" March ,2010

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## Appendix 2

### **Proposed conditions relating to Imported Stretched Limousines Licensed as private hire vehicles.**

1. All vehicles must be less than 10 years old when registered.
2. Vehicles may either be left hand or right hand drive providing they have full proof of full Department for Transport (DfT) Single Vehicle Type Approval (SVA), and must be fitted with at least 4 doors and 4 wheels.
3. The exterior and exterior of the vehicle must be maintained in a clean and proper manner to the reasonable satisfaction of the Council.
4. There shall be no passengers carried in the front compartment.
5. Every seat shall have fitted a suitable seat belt or restraint.
6. Every seat shall be at least 400mm in width measured along the seat base.
7. The vehicle identification Number (VIN) plate shall display '1L1' to confirm conversion completed by an authorised dealer.
8. A plate on the door pillar shall conform the total weight of the vehicle.
9. Fitted tyres to the vehicle must be either 235/75R-15 108D (BF Load) or 225/70R-16 107T Town Car Limo Tyre (Reinforced)
10. DVLA V5 or equivalent shall be produced to authenticate registration.
11. No intoxicating liquor shall be provided in the vehicle unless there is in force an appropriate licence permitting the sale or supply of the same.
12. All operators will be required to sign a declaration stating that the vehicle will not carry more than 8 passengers and at the time of booking the vehicle, this restriction shall be explained to the hirer.
13. A stretched limousine vehicle will be subject to twice yearly mechanical examinations to the appropriate Class MOT Standard every 6 months at the Council's approved garage.
14. Tinted glass shall conform to the legal requirements as laid down by the Vehicle Operators Services Agency (VOSA)

15. The proprietor shall not use the vehicle, and not permit it to be used when there is not in force for the vehicle a policy of insurance or such security and complied with the requirements of Part VI of the Road Traffic Act 1998 for hire and reward
16. Limousines are not required to display a fare table or have a taximeter fitted.
17. The stretched limousines must hold a valid Single Vehicle Approval (SVA) certificate.
18. The Limousines will meet the QVM (Quality Vehicle Modifier) issued by the Ford Motor Company or the CMC (Cadillac Mastercoach Builder)
19. The stretch extension shall not exceed 120 inches (10 feet)
20. The maximum weight of any converted vehicle will not exceed 7,100lbs (3,200kg)
21. Stretch Limousines must be constructed on the appropriate heavy duty packages as specified by the QVM/CMC
22. All replacement parts must be manufacturer approved.
23. The Operators of a licensed vehicle with side facing seats will not be used to carry passengers under 16 years of age, regardless of whether the vehicle is fitted with or without seatbelts.
24. Notices forbidding children under 16 years of age to be carried in side facing seats must be displayed in prominent positions, on entry to the passenger compartment and on the inside of the vehicle on either side of the passenger compartment,
25. Notices must be displayed inside the vehicle where all passengers can clearly read the notice, advising passengers of the maximum carrying capacity of the vehicle and a warning to all passengers that should the capacity be exceeded then the vehicle will be uninsured.