

**Details of Hackney Carriage and Private Hire related Offences**  
**and Maximum Penalties**

**Table 1**

Details the current fines (as at February 2021) for each level of the standard fine scale.

| Level | Maximum Fine |
|-------|--------------|
| 1     | £200         |
| 2     | £500         |
| 3     | £1,000       |
| 4     | £2,500       |
| 5     | Unlimited    |

**Table 2**

**Offences under the Town Police Clauses Act 1847** – these offences relate to hackney carriage drivers/ vehicles, but do not include private hire.

| Section of the TPCA 1847 | Offence   | Maximum Penalty   |
|--------------------------|---|---|
| 40                       | Giving false information on application for HC proprietor's licence | Level 1   |
| 44                       | Failure to notify change of address of HC proprietor                | Level 1   |
| 45                       | Plying for hire without a HC proprietor licence                     | Level 4   |
| 47                       | Driving a HC without a HC driver's licence                          | Level 3   |
| 47                       | Lending or parting with a HC driver's licence                       | Level 3   |
| 47                       | HC proprietor employing unlicensed driver                           | Level 3   |
| 48                       | Failure by HC proprietor to hold HC driver's licence                | Level 1   |
| 48                       | Failure by HC proprietor to produce HC driver's licence             | Level 1   |
| 52                       | Failure to display HC plate   | Level 1   |
| 53                       | Refusal to take a fare  | Level 2   |
| 54                       | Charging more than the agreed fare                                  | Level 1   |
| 55                       | Obtaining more than the legal fare                                  | Level 3 and 1 month imprisonment until the excess is refunded |
| 56                       | Travelling less than the lawful distance for an agreed fare         | Level 1   |
| 57                       | Failing to wait after a deposit to wait has been paid               | Level 1   |
| 58                       | Charging more than the legal fare                                   | Level 3   |

|    |  |         |
|----|--|---------|
| 59 | Carrying other person than the hirer without consent               | Level1  |
| 60 | Driving a HC without proprietor's consent                          | Level 1 |
| 60 | Person allowing another to drive a HC without proprietor's consent | Level 1 |
| 61 |  | Level   |
| 62 | Driver leaving hackney carriage unattended                         | Level 1 |
| 64 | HC driver obstructing other HCs                                    | Level 1 |

**Table 3****Offences under Local Government (Miscellaneous Provisions) Act 1976 – hackney carriage provisions**

| <b>Section</b> | <b>Offence</b>  | <b>Maximum Penalty</b>   |
|----------------|---|--|
| 49             | Failure to notify transfer of HC proprietor's licence   | Level 3 (by virtue of s 76)  |
| 50(1)          | Failure to present HC for inspection as required  | Level 3 (by virtue of s76)   |
| 50(2)          | Failure to inform LA where HC is stored if requested  | Level 3 (by virtue of s76)   |
| 50(3)          | Failure of proprietor to report an accident to LA   | Level 3 (by virtue of s76)   |
| 50(4)          | Failure to produce HC proprietor's licence and insurance certificate  | Level 3 (by virtue of s76)   |
| 53(3)          | Failure to produce HC driver's licence  | Level 3 (by virtue of s76)   |
| 53A(9)         | Failure to return driver's licence and badge after ceasing to be in force for immigration reasons             | Level 3 and daily penalty of £10 for each day of non-compliance after conviction |
| 57             | Making false statement of withholding information to obtain HC driver's licence                               | Level 3 (by virtue of s 76)  |
| 58(2)          | Failure to return plate after notice given after expiry, revocation or suspension of HC proprietor's licence. | Level 3 plus daily fine £10  |
| 61(2)          | Failure to surrender driver's licence after suspension, revocation or refusal to renew.                       | Level 3 (by virtue of s 76)  |
| 64             | Permitting any vehicle other than HC to wait on a HC stand  | Level 3 (by virtue of s 76)  |
| 66             | Charging more than the meter fare when HC used as a private hire vehicle                                      | Level 3 (by virtue of s 76)  |
| 67             | Charging more than the metre fare when HC used as a private hire vehicle                                      | Level 3 (by virtue of s 76)  |
| 71             | Interfering with a taximeter  | Level 3 (by virtue of s 76)  |
| 73 (1)(a)      | Obstruction of authorised officer or constable  | Level 3 (by virtue of s76)   |
| 73(1)(b)       | Failure to comply with requirement of authorised officer or constable   | Level 3 (by virtue of s 76)  |
| 73(1)(c)       | Failure to give information or assistance to authorised officer or constable                                  | Level 3 (by virtue of a s 76)  |

**Table 4****Offences Local Government (Miscellaneous Provisions) Act 1976- private hire provisions**

| <b>Section</b> | <b>Offence</b>  | <b>Maximum Penalty</b>   |
|----------------|---|--|
| 46(1)(a)       | Using an unlicensed PH vehicle  | Level 3 (by virtue of s 76)  |
| 46(1)(b)       | Driving a PH vehicle without a PH driver's licence  | Level 3 (by virtue of a 76)  |
| 46(1)(c)       | Proprietor of a PH vehicle using an unlicensed driver   | Level 3 (by virtue of s 76)  |
| 46(1)(d)       | Operating a PH vehicle without a PH operator's licence  | Level 3 (by virtue of s 76)  |
| 46(1)(e)       | Operating a vehicle as a PH vehicle when the vehicle is not licensed as a PH vehicle                    | Level 3 (by virtue of s 76)  |
| 46(1)(e)       | Operating a PH vehicle when the driver is not licensed as a PH driver                                   | Level 3 (by virtue of s 76)  |
| 48(6)          | Failure to display PH vehicle plate   | Level 3 (by virtue of s 76)  |
| 49             | Failure to notify transfer of PH vehicle licence  | Level 3 (by virtue of s 76)  |
| 50(1)          | Failure to present PH vehicle for inspection as required  | Level 3 (by virtue of s 76)  |
| 50(2)          | Failure to inform LA where PH vehicle is stored if requested  | Level 3 (by virtue of s 76)  |
| 50(3)          | Failure to report an accident to LA   | Level 3 (by virtue of s 76)  |
| 50(4)          | Failure to produce PH vehicle licence and insurance certificate   | Level 3 (by virtue of s 76)  |
| 53(3)          | Failure to produce PH driver's licence  | Level 3 (by virtue of s 76)  |
| 53(A)9         | Failure to return driver's licence and badge after ceasing to be in force for immigration reasons       | Level 3 and daily penalty of £10 for each day of non-compliance after conviction |
| 54(2)          | Failure to wear PH driver's badge   | Level 3 (by virtue of s 76)  |
| 55ZA(8)        | Failure to return operators licence after ceasing to be in force for immigration reasons                | Level 3 and daily penalty of £10 for each day of non-compliance after conviction |
| 55(B)          | Subcontracting PH Operator knowing that the subcontractor will use and unlicensed vehicle or driver     | Level 3 (by virtue of s 76)  |
| 56(2)          | Failure by PH operator to keep records of bookings  | Level 3 (by virtue of s 76)  |
| 56(3)          | Failure by PH operator to keep records of PH vehicles operated by him                                   | Level 3 (by virtue of s 76)  |
| 56(4)          | Failure to produce PH Operator's licence on request   | Level 3 (by virtue of s 76)  |
| 57             | Making false statement or withholding information to obtain PH driver's or operator's licence           | Level 3 (by virtue of s 76)  |
| 58(2)          | Failure to return plate after notice given after expiry, revocation or suspension of PH vehicle licence | Level 3 plus daily fine of £10   |

|                |  |                             |
|----------------|--|-----------------------------|
| 61(2)          | Failure to surrender driver's licence after suspension, revocation or refusal to renew | Level 3 (by virtue of s 76) |
| <b>Section</b> | <b>Offence</b>   | <b>Maximum Penalty</b>      |
| 67             | Charging more than the meter fare when HC used as private hire vehicle                 | Level 3 (by virtue of s 76) |
| 69             | Unnecessarily prolonging a journey   | Level 3 (by virtue of s 76) |
| 71             | Interfering with a taximeter   | Level 3 (by virtue of s 76) |
| 73(1)(a)       | Obstruction of authorised officer or constable   | Level 3 (by virtue of s 76) |
| 73(1)(b)       | Failure to comply with requirement of authorised officer or constable                  | Level 3 (by virtue of s 76) |
| 73(1)(c)       | Failure to give information or assistance to authorised officer or constable           | Level 3 (by virtue of s 76) |

**Table 5****Offences Transport Act 1980 - private hire provisions**

| <b>Section</b>   | <b>Offence</b>   | <b>Maximum Penalty</b> |
|------------------|--|------------------------|
| Section 64(2)(a) | Driving a PH vehicle with a roof sign which contravenes section 64(1)                            | Level 3                |
| Section (2)(b)   | Causing or permitting a PH vehicle to be driven with a roof sign which contravenes section 64(1) | Level 3                |

**Table 6****Offences - Hackney Carriage Byelaws**

| <b>Byelaw</b>          | <b>Offence</b>                  | <b>Maximum Penalty</b> |
|------------------------|---------------------------------|------------------------|
| Each individual byelaw | Failure to comply with a byelaw | Level 2                |

The above tables have been reproduced from Chapter 6 Button on Taxis Licensing Law and Practice, Fourth Edition.