

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 2,529 of 21st December, 1989.

LEGAL NOTICE NO. 111 OF 1989.

TRAFFIC ACT.

PUBLIC SERVICE VEHICLES (AMENDMENT) (NO. 2) REGULATIONS, 1989.

In exercise of the powers conferred upon him by section 83 of the Traffic Act and of all other enabling powers the Governor has made the following regulations:

Title and commencement.

1.(1) These regulations may be cited as the Public Service Vehicles (Amendment) (No. 2) Regulations 1989.

(2) These regulations (except regulation 3) shall come into operation on the 21st day of December 1989 and regulation 3 shall come into operation on the 1st day of January 1990.

Introduction of taximeters.

2. The Public Service Vehicles Regulations (hereinafter called "the principal regulations") are amended-

(a) in regulation 2, by inserting the following additional definition in its appropriate alphabetical position-

" "taximeter" means any device for calculating the fare to be charged in respect of any journey in a taxi by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both;"

(b) by deleting regulation 36 and substituting the following regulations-

"Taxis to be fitted with taximeters.

36. The owner of every taxi shall cause the vehicle to be fitted with a taximeter of a type approved by the Traffic Commission and which is so constructed, attached and maintained as to comply with the following requirements-

(a) the taximeter shall be fitted with a key, flag or other device the use of which will bring the machinery of the taximeter into action;

(b) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;

(c) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the driver is entitled to demand and take for the hire of the taxi in accordance with regulation 37;

(d) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring; and

(e) the taximeter and all the fittings thereof shall be so affixed to the vehicle with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Use of taximeters.

36A. The driver of a taxi provided with a taximeter shall-

(a) when standing or plying for hire keep the key, flag or other device fitted in accordance with regulation 36(a) locked in the position in which no fare is recorded on the face of the taximeter; and

(b) as soon as the taxi is hired by distance and time, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device and keep the machinery of the taximeter in action until the termination of the hiring.

Taximeters not to be tampered with.

36B. The owner or driver of any taxi who tampers with, or permits any person to tamper with, any taximeter with which the taxi is provided, with the fittings thereof, or with the seals affixed thereto, is guilty of an offence.";

(c) by deleting regulation 37 and substituting the following regulations.

"Fares for hire by distance and time.

37. The driver of a taxi shall be entitled to demand and take for the hire of the taxi the rate or fare specified in the Schedule, the rate or fare being in every case calculated by distance and time unless the hirer expresses at the commencement of the hiring his desire to engage by time only:

Provided that where a taxi furnished with a taximeter shall be hired by distance and time the driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges specified in the Schedule which it may not be possible to record on the face of the taximeter.

Fares for hire by time only.

37A. Where the hirer expresses at the time of commencement of the hiring his desire to engage by time only the charge shall be such as may be determined by agreement between the driver and the hirer.

Maximum fares.

37B. It is an offence for any person to demand or accept payment of any fare or charge in respect of the hire of a taxi in excess of the rates authorised by these regulations.";

(d) by deleting sub-regulation 39(1) and substituting the following sub-regulations-

"(1) The owner of a taxi shall cause a statement of the fares prescribed by these regulations, printed and framed in such manner as the Commissioner of Police may require, to be exhibited inside the taxi.

(1A) The owner or driver of a taxi bearing a statement of fares in accordance with sub-regulation (1) shall not cause or suffer the statement to be concealed or rendered illegible at any time while the taxi is plying or being used for hire.";

(e) by deleting the schedule and substituting the following schedule –

"THE SCHEDULE.

FARES FOR DISTANCE.

Standard charges.

1. (a) For the first six units or part thereof: £ 1.50

(b) For each subsequent unit: £0.10

In this paragraph, "unit" means a unit recorded by the taximeter comprising 200 metres of distance travelled or one minute of time engaged or a combination of both.

Additional charges.

2. For hirings begun-

(a) between midnight and 7 a.m. on any day (other than a Sunday or Public Holiday); or

(b) at any time on a Sunday or Public Holiday (other than Christmas Day, New Year's Day or Good Friday): £0.50

3. For hirings begun at any time on Christmas Day, New Year's Day or Good Friday: £1.00

4. For each additional passenger over the age of 6 years after the second up to the maximum authorised seating capacity of the taxi: £0.20 per person

5. For each article of luggage (other than hand luggage): £0.20 per piece

6. Where the taxi is called by telephone: £0.50

Upper Rock.

7. For all journeys to the Upper Rock (including St Michael's Cave, Queen's Road, Apes' Den and Upper Galleries) from anywhere in the town (including the North Mole Area):

For up to four passengers: £5.00

For each additional passenger over the age of 6 years (in excess of four up to the maximum authorised seating capacity of the vehicle): £0.50."; and

- (f) in regulation 40, by substituting "regulations 36 to 39" for "regulations 36, 38 and 39".

Standardisation of taxis.

3. The principal regulations are further amended-

- (a) in regulation 4(b), by omitting the words "by a numeral painted red at least four inches in height and attached to the rear of the vehicle" and substituting "by a sign approved by the Commission and attached securely to the rear of the vehicle indicating the licence number of the taxi and the authorised seating capacity";
- (b) in regulation 28, by omitting the words "the word 'Taxi' affixed to the windscreen" and substituting "a sign of a type and colour approved by the Commission and bearing the word 'Taxi' securely fastened to the roof of the vehicle"; and
- (c) by inserting the following additional regulation immediately after regulation 28-

"28A. Every taxi shall be painted white in colour with a red strip along each front side door, all in accordance with such specifications as the Commission may from time to time determine, and shall bear such emblem or emblems as the Commission may prescribe:

Provided that, until the 1st day of January 1991, the provisions of this regulation as regards being painted white in colour shall not apply to a taxi in respect of which the road service licence was first issued prior to the 31st December 1989."

Dated this 21st day of December, 1989.

By Command,

W. E. QUANTRILL,

Deputy Governor.