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RoSPA Response to “Improving Safety in Private Hire Vehicles”

A Transport for London Consultation Paper

11 June 2018



Response to TfL Consultation "Improving Safety in Private Hire Vehicles"

Introduction

This is RoSPA's response to the Transport for London's consultation paper, "Improving Safety in Private Hire Vehicles". It has been produced following consultation with RoSPA's National Road Safety Committee.

TfL license around 120,000 private hire drivers, a number which has rapidly increased over the last six-years. During this period, TfL has received an increasing number of complaints and reports about incidents involving PHVs indicating that the standard of driving by some PHV drivers is inadequate, and potentially puts passengers and other road users at risk.

Between January and September 2017, one private hire vehicle user was killed, 29 seriously injured and almost 500 slightly injured in road accidents in London. Over the same period, TfL received an average of seven complaints about collisions involving PHVs and 85 complaints about poor driving by PHV drivers in each four week reporting period. From a sample of 365 drivers who had been dismissed by their operators over the past two years, 15% had been dismissed for poor driving.

London taxi drivers are required to pass an enhanced taxi driving test before being licensed, but there is no similar requirement for London PHV drivers. To be granted a PHV driver's licence, an applicant must:

- be at least 21 years of age
- have a full UK or other EU/EEA driving licence, and have held this licence for a minimum of three years
- be a fit and proper person; and
- meet any further requirements prescribed by TfL.

In recent years a number of new services have transformed the taxi/private hire vehicle industry and changed the way people access these services. New technology has made it easier and cheaper to book rides through apps resulting in increased numbers of people using PHV services.

The purpose of this consultation is to review various aspects of the existing arrangements covering private hire services in London and to invite comments and suggestions about where improvements could be made in the interests of public safety. The consultation is in two parts. Part one seeks views on proposals for specific measures relating to driving standards and vehicle signage and Part two seeks views on what measures could be adopted relating to driver applicant character and conduct checks and PHV insurance.



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Proposal 1: Introduce an advanced driving assessment for all new PHV drivers

The Mayor's Taxi and Private Hire Action Plan included a commitment to improve "the standards of driving across the [private hire] industry by requiring that private hire drivers pass an advanced driving test before they can be licensed or relicensed."

Question 1

Do you agree or disagree with the proposal to introduce an advanced driving assessment for all PHV drivers?

Do you have any comments on a proposed outline driving assessment at Appendix B?

RoSPA Response

RoSPA strongly agrees with the proposal to require all PHV drivers to take and pass an advanced driving assessment on the next renewal of their licence.

Private hire vehicle drivers are professional drivers who carry fare paying passengers. It is essential that they demonstrate a higher standard of driving than that required for a standard driving licence. Their passengers and other road users have a right to expect an enhanced level of safety from PHV drivers.

Taxi drivers are required to take and pass an advanced driving assessment, and it is fair and sensible for private hire vehicles drivers to do the same, especially given the evidence of poor driving standards by some licensed PHV drivers.

As the consultation paper notes, only one other licensing authority treats taxi drivers and PHV drivers differently for the purposes of driving assessments.

RoSPA supports the proposed driving assessment provided in Appendix B of the consultation paper which will be the same as the taxi driver advanced driving assessment. RoSPA agrees that the proposed PHV driving assessment should be based on the previous Driver and Vehicle Standards Agency (DVSA) taxi driving assessment, and be specific to London, reflecting the challenges of driving in London and include role specific questions on driving a taxi or PHV in the capital.

Proposal 2: Introduce an advanced driving assessment for all existing PHV drivers on the next renewal of their licence

TfL propose that all existing PHV drivers will be required to take and pass the advanced driving assessment before the next renewal of their licence. The only exemptions will be existing PHV drivers who are also licensed by TfL as London taxi drivers.

Question

Do you agree or disagree with the proposal to require all existing PHV drivers to take the advanced driving assessment on the next renewal of their licence?

RoSPA Response

RoSPA strongly agrees that existing PHV drivers should be required to take the advanced driving assessment on the next renewal of their licence. This would be a sensible way of managing the number of drivers who would need to take a test. It would also help to ensure that existing PHV drivers meet the same standards as new PHV drivers and new and existing taxi drivers, and so provide a consistent level of driving skills assessment of all licensed taxi and PHV drivers.



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Proposal 3: Introduce an enhanced wheelchair assessment for the drivers of all wheelchair accessible PHVs
TfL maintains a list of designated wheelchair accessible PHVs, the drivers of which have to meet the duties set out in section 165 of the Equality Act 2010.

Questions

Do you agree or disagree with the proposal to introduce an enhanced wheelchair assessment for the drivers of all wheelchair accessible PHVs?

Do you agree or disagree that wheelchair accessible PHVs should only be driven by private hire drivers who have completed the wheelchair assessment, whilst undertaking a booking?

RoSPA Response

RoSPA strongly agrees that PHV drivers of wheelchair accessible Private Hire Vehicles should be required to take and pass an enhanced wheelchair assessment similar to that taken by taxi drivers. This will help those drivers to meet their obligations under the Equality Act and ensure consistency across the taxi and PHV industry to improve the service to wheelchair users.

Private hire vehicle signage

Proposal 1: Contact information signage in PHV's

TfL propose to introduce new mandatory signage displaying contact information for display in licensed private hire vehicles to raise awareness amongst passengers that they can contact TfL if they want to comment on a private hire journey and how they can do this.

Questions

Do you agree or disagree with the proposal to introduce signage in private hire vehicles which will display customer contact information?

Do you agree or disagree with the proposal to introduce mandatory signage in private hire vehicles which will display dooring cycle safety sign?

RoSPA Response

RoSPA agrees with the proposed new signage for private hire vehicles. We agree that it is useful to have clear information for passengers on how to contact TfL if they want to comment on a private hire journey. This feedback should help TfL and private hire vehicle companies and drivers to improve passenger safety.

We particularly welcome the requirement for the signs to advise passengers to wear their seatbelt and to look out for cyclists when getting out of the vehicle. Taxis and private hire vehicles are involved in about 10% of serious cyclist accidents in London where the door of a vehicle had been opened into the path of an oncoming cyclist.

RoSPA has no view on the proposal to change the colour of the PHV licence disc annually, although we are not clear whether the changing colour will mean very much to the public without a supporting publicity campaign.



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Private hire driver identification

Licensed private hire vehicle drivers are issued with an ID card showing a photo of the licensed driver, their name, licence number and the expiry date of their licence. They are required to wear their ID card at all times when they are working. A small number of PHV drivers are granted an exemption from wearing their ID card; such exemptions are considered if wearing an ID card presents a specific risk to the driver or a passenger requests that the driver refrain from wearing their ID card.

When a passenger makes a booking the operator must send the passenger a booking confirmation including the PHV registration mark, the first name of the driver and the driver's private hire licence number. If the passenger can receive it, a photo of driver is also included in the booking confirmation.

TfL are not planning to change the driver ID card, but are proposing that a version of the ID card should be displayed on the nearside of the PHV on the front windscreen in the top corner.

Questions

Do you agree or disagree that the information contained on PHV driver ID cards should be more visible from outside of PHVs?

Do you agree or disagree with the proposal that a version of the PHV driver's ID card should be displayed on the nearside of the PHV on the front windscreen in the top corner?

RoSPA Response

RoSPA agrees that the PHV driver's ID card should be more visible from outside the vehicle. This will help passengers to be sure that the right person is driving the vehicle, before they get in it. Given that the current PHV driver ID card is credit-card sized, it is difficult for many passengers to see the information clearly, especially in the dark or poor weather. Therefore, the proposed version to be displayed on the windscreen makes sense.

Insurance requirements for PHVs

To carry fare paying passengers, PHVs must have correct 'hire or reward' insurance cover.

TfL believe that private hire vehicles should have 'hire or reward' insurance in place at all times, irrespective of whether they are being used to carry fare-paying passengers or for private purposes. However, they are reconsidering the necessity for PHVs to have hire or reward insurance at all times in light of the role played by the Motor Insurers' Bureau (MIB). It remains the case that they must be covered by hire or reward insurance when being presented for licensing and when in use as a PHV.

Operator fleet insurance

PHV operators must keep a copy of the hire or reward insurance certificate for each vehicle available to carry out bookings. TfL are considering whether to introduce a requirement for private hire operators to have their own hire or reward fleet insurance, as primary cover for all of their drivers and vehicles. This would ensure that all licensed PHV Operators ensure that all their private hire vehicles have appropriate insurance when licensed. Currently, some, but not all, do so.



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Question

Do you think any changes are needed to the existing PHV hire or reward insurance requirements?

RoSPA Response

RoSPA agrees with the proposal require hire or reward insurance cover to be in place at all times as this would make it clear that such cover is in place, even if it is claimed that the vehicle was in personal use, at the time.

In principle, RoSPA support operators being required to have their own hire or reward fleet insurance that covers their drivers and vehicles. However, we do not have enough information or understanding of the operation of the fleet hire or reward insurance cover in the private hire vehicle industry to comment on the detail of these proposals.

Background character checks for private hire driver licence applicants

Question

Please provide your views on how TfL can best establish background character information for persons who have lived for an extended period outside the UK or come to the UK from another country?

Please provide any evidence to support your comments.

RoSPA Response

RoSPA is not in a position to respond to this question.

RoSPA thanks Transport for London for the opportunity to comment on the proposals. We have no objection to our response being reproduced or attributed.

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