

# Special Event Vehicles a guide for licence applicants, drivers and owners



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## SPECIAL EVENT VEHICLES

### **A guide for licence applicants, drivers and owners.**

The information in this booklet is for general guidance only and should not be treated as an authoritative statement of the law.

The licensing office of Dudley Council is part of the legal services department, and should not be confused with the Dudley Council taxi inspection facility.

### **Targets and standards**

Dudley Council's licensing section works to the targets and standards, which are set out below. You have a right to these standards and any non-compliance should be reported immediately to the licensing officer.

- All applicants for licences to be seen within five minutes of their appointment time.
- Applicants to be given an appointment within two days of requesting one.
- A request for a licence application form will be met within two days
- All correspondence will be replied to within seven working days.

### **Special event vehicle guide**

This booklet has been produced to give owners and drivers of special event vehicles guidance and help when making applications for licences and in the day-to-day use of such vehicles.

### **Introduction**

Acts of parliament referred to in this booklet have been abbreviated as follows:

<b>LGMPA</b>	Local Government (Miscellaneous Provisions) Act 1976
<b>TPA</b>	Town Police Clauses Act 1847

**Please ensure that you are familiar with all the requirements set out in our guidance booklets. If after considering the information you are still unsure about any aspect of the law you should consider seeking your own independent legal advice.**

**IMPORTANT** – Operations which involve hiring a vehicle out with a driver, or receipt of payment or any other kind of reward in the return for the carriage of passengers, will require some form of licence, either for use as a public service vehicle (PSV) or as a private hire vehicle (PHV), depending on the size of vehicle and the way it is used. Failure to adhere to those requirements may result in your vehicle being impounded, and ultimately, destroyed.

Private hire vehicle, means a motor vehicle constructed or adapted to seat less than nine passengers other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers.

Traffic commissioners' grant licenses for PSVs, and licenses for PHVs are issued by Local Authorities.

The council has procedures in place to consider applications for licensing special event vehicles e.g. stretched limousines, converted fire tenders). A separate booklet entitled 'private hire vehicles a guide for licence applicants, drivers and owners' which sets out those procedures in detail is available from the licensing office should be read in conjunction with this one.

The vast majority of Limousines imported into the UK are exported from the USA. Legislation governing the construction and use of vehicles is significantly different in America and therefore the vehicles will need modifications (very substantial modifications in the case of larger vehicles) before being compliant with UK requirements.

For your own ***peace of mind*** before purchasing a limousine or other style of special event vehicle, you should investigate the matter fully and satisfy yourself that the vehicle can be modified or has been modified to UK requirements. The full cost of any modifications is your responsibility and must be completed, and the appropriate documentation produced before the vehicle can be licensed by the traffic commissioner or your local authority.

### **Vehicles with fewer than 9 passenger seats**

Smaller special event vehicles, those with fewer than 9 passenger seats, will in almost all cases not be type approved to British or European standards and thus will need to prove compliance through the Individual Vehicle Approval Scheme (IVA), - formally known as the Single Vehicle Approval scheme (SVA).

The IVA scheme provides a pre-registration inspection for all passenger and goods vehicles that have not been type approved to British or European Standards. The main purpose of this scheme is to ensure that these vehicles have been designed and constructed to modern safety and environmental standards before they can be used on public roads.

### **Vehicles with more than 9 passenger seats**

Traditionally a limousine of this size required a COIF (Certificate of Initial Fitness) from VOSA in order to be registered and used to carry paying passengers (referred to as “use for hire or reward”). Since April 2009 it has also been possible to apply for Individual Vehicle Approval (IVA) or type approval for such vehicles. From 29<sup>th</sup> October 2010, COIF will no longer be an acceptable route to registration, except for vehicles built more than 3 months prior to this date (i.e. manufactured prior to 29<sup>th</sup> July 2010).

There are very few limousine type vehicles that are currently compliant with COIF, IVA or type approval requirements. The Department is aware that vehicles not complying with GB, or EC, construction regulations have been registered in the past and it has taken steps to prevent this. Operators need to consider, when purchasing a larger limousine that most of these vehicles will require at a considerable expense to convert them in order that they can meet COIF or IVA requirements.

**Please Note:** *The seating capacity is the number of passengers the vehicle is adapted to carry; seating capacity can be defined by the number of seating positions – which could be defined by sculpting in the seat and/or seat belts.*

A local authority is authorised by law to licence vehicles constructed or adapted to carry not more than eight passengers. Applications for special event vehicles to be licensed require that the vehicle be presented for a pre-test inspection at the Dudley taxi inspection facility for approval of seating configuration and the vehicle is compliant with UK requirements before the application is accepted. This inspection is free of charge.

### **Modified / adapted vehicles**

All new applications to licence a modified / adapted vehicle for nine seats including the driver or for less than nine seats as a private hire vehicle will submit a registration document (V5) which must show in section J that it is M1 Category and supply a Ministers Approval Certificate or equivalent.

**Private hire vehicle means:** *a motor vehicle constructed or adapted to seat less than nine passengers other than a carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers (section 80 LGMPA).*

### **Drivers of private hire vehicles must be licensed**

Once a vehicle is licensed as a private hire vehicle every driver of that vehicle, whether it be used for business or pleasure, must possess a current private hire vehicle driver’s licence which has been granted by the local authority that licensed the vehicle (section 46 LGMPA and Case Law – Benson v Boyce 1977).

### **Private Hire Operator**

The services of a private hire vehicle and its driver can only be lawfully obtained by a prior booking through a licensed operator of private hire vehicles.

Dudley Council (also known as the local authority for Dudley borough) licence the following:

- Hackney carriage vehicles and drivers
- Private hire vehicles and drivers
- Operators of private hire vehicles

The authority for this can be found under the Local Government (miscellaneous Provisions) Act 1976, the Town Police Clauses Act 1847, and the Transport Act 1985.

This booklet must be read in conjunction with the booklet 'private hire vehicles – a guide for licence applicants, drivers and owners. An information pack is also available in relation to 'private hire operators', both of these items can be obtained direct from the licensing office or from Dudley MBC's website.

### **Licensing Act 2003**

No alcohol will be allowed to be supplied from within the vehicle unless the appropriate licences issued under the Licensing Act 2003 permitting the sale or supply of alcohol is in force.

**Please Note:** *Under the Licensing Act 2003, it is an offence to sell alcohol inside a vehicle (i.e. operate a bar)*

For further information regarding the Licensing Act 2003 please contact the Licensing Office.