

Island of  Guernsey

Ordinance of the States **XVIII**

**1966**

Made .. .. . 29th June, 1966

Coming into Operation—

Parts I and IV .. . 29th June, 1966

Parts II and III .. . 1st October, 1966

**The Public Transport Licensing  
Ordinance, 1966**

ARRANGEMENT OF SECTIONS

Section

PART I

CONSTITUTION AND PROCEEDINGS OF  
THE AUTHORITY

1. Establishment of the Authority.
2. Constitution of the Authority.
3. Meetings of the Authority.
4. Police Committee to be heard on road service licence applications.
5. Production of books, accounts, etc., and examination of persons on oath.

Section

PART II

GRANT AND RENEWAL OF PUBLIC SERVICE  
VEHICLE LICENCES AND ROAD SERVICE  
LICENCES, ETC.

6. Prohibition on use of public service vehicle without a licence.
7. Prohibition on operation of a road service without a licence.
8. Application for licences.
9. Grant or refusal of licences.
10. Factors to be taken into account.
11. Categories of licences.
12. Limit on numbers of licences.
13. Conditions to be complied with before grant of licences.
14. Period of validity of public service vehicle licences.
15. Fees for public service vehicle licences.
16. Renewal of public service vehicle licences.
17. Change of ownership.
18. Issue and display of plates.
19. Revocation, suspension, etc. of public service vehicle licences.
20. Maximum number of passengers to be carried.
21. Itinerary, fare table and time table to be specified.

Section

PART III

GENERAL CONDITIONS OF THE EXERCISE  
OF PUBLIC SERVICE VEHICLE LICENCES  
AND ROAD SERVICE LICENCES

22. Purposes for which omnibuses may be used.
23. Road services to be operated only by omnibuses.
24. Prohibition on using taxi ranks.
25. Prohibition on using omnibus termini.
26. Provision of fire-extinguishers and braking lights.
27. General conditions as to use of public service omnibuses.
28. General conditions as to use of taxis.
29. Taximeters to be used.
30. General conditions as to use of private hire omnibuses.
31. General conditions as to use of private hire motor cars.
32. Requirements as to use of taxis.
33. Reporting of defects in public service vehicles.
34. Reporting of alterations to public service vehicles.
35. Examination of public service vehicles.
36. Designated stopping places.
37. Prohibition on spitting.
38. Smoking by drivers prohibited.
39. Control of filling with petrol.
40. Carriage of animals.
41. Sitting and standing in vehicles.

Section

## PART IV

### MISCELLANEOUS, APPEALS, PENALTIES, INTERPRETATION AND COMMENCEMENT

42. Determination of taxi fares.
43. Charging of excess fares.
44. Prohibition on the carriage of excess passengers.
45. Notice of refusal to grant a licence and notice of conditions.
46. Service of notices.
47. Appeals.
48. Offences by bodies corporate.
49. Penalties.
50. Interpretation.
51. Amendment to Ordinance of 1929.
52. Citation.
53. Commencement.

### FIRST SCHEDULE—

PART I—Categories of public service vehicle licences.

PART II—Categories of road service licences.

### SECOND SCHEDULE—Form of Notice.

## **The Public Transport Licensing Ordinance, 1966**

THE STATES, in pursuance of their Resolution of the twenty-seventh day of May, nineteen hundred and sixty-four, and in exercise of the powers conferred upon them by section one and section three of the Public Transport Licensing (Guernsey) Law, 1964(a), and of all other powers enabling them in that behalf, hereby order:—

### PART I

#### CONSTITUTION AND PROCEEDINGS OF THE AUTHORITY

1. There shall be established and constituted in accordance with the succeeding provisions of this Part of this Ordinance a committee styled, in pursuance of the provisions of section one of the principal Law, the Passenger Transport Licensing Authority (hereinafter referred to as “the Authority”) which shall exercise the powers and perform the duties conferred or imposed upon it by the provisions of this Ordinance.

Establishment of the Authority.

2. (1) The Authority shall consist of:—

(a) a President who shall be a member of the States having a seat therein; and

(b) three other members (hereinafter referred to as “ordinary members”) at least one of whom shall be a member of the States;

which President and ordinary members shall be elected by the States.

Constitution of the Authority.

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(a) Ordres en Conseil Vol. XIX, p. 205.

(2) The term of office of the person first elected as President of the Authority in pursuance of the provisions of the last preceding subsection shall expire on the thirtieth day of April, nineteen hundred and sixty-nine, and thereafter the term of office of the said President for the time being shall expire on the thirtieth day of April on which he completes a period of three years of office or, if his period of office does not expire on such a day, on the thirtieth day of April next following the date on which he completes such a period.

(3) The Authority shall elect annually a Vice-President of the Authority from among the ordinary members and the person so elected shall, if he continues so long to be an ordinary member, hold office as Vice-President of the Authority for a period of one year commencing on the first day of May next following the date of such election save that the person first elected as aforesaid as Vice-President of the Authority shall, if he continues so long to be an ordinary member, hold office from the date of election until the thirtieth day of April, nineteen hundred and sixty-seven.

(4) On the death or retirement otherwise than by effluxion of time of the person holding the office of Vice-President of the Authority, the Authority shall elect one of the ordinary members to fill the office so vacated for the remainder of the term then current.

(5) One ordinary member of the Authority shall retire from office on the thirtieth day of April, nineteen hundred and sixty-seven, and thereafter one ordinary member shall retire on the thirtieth day of April terminating each succeeding period of one year.

(6) The ordinary member to retire in accordance with the provisions of the last preceding subsection shall be the ordinary member who has held office longest since he was last elected by the States save that when more than one ordinary member was elected on the same date the order of their retirement shall be determined by agreement or, failing such agreement, by lot.

3. (1) Each member of the Authority, other than the member presiding at a meeting thereof, shall have one vote and the person so presiding shall in the case of an equality of votes have a casting vote. Meetings of the Authority.

(2) A decision of a majority of the members of the Authority present and voting at a meeting shall be a decision of the Authority.

(3) The quorum for a meeting of the Authority shall be three members and, subject to the preceding provisions of this section, the Authority shall regulate its own procedure.

(4) Meetings of the Authority for the purposes of determining the maximum fares which may be charged in pursuance of the provisions of section forty-two of this Ordinance for the hire of a motor vehicle in respect of which there is in force a taxi licence and for determining the itinerary, the fare table and time table to be specified in, a road service licence in pursuance of the provisions of section twenty-one of this Ordinance shall be held in public, and not less than two clear days prior notification of the date on which, and the time and place at which, the meeting is to be held and of the matters to be considered thereat, shall be given by the Authority by means of a notice published in "La Gazette Officielle".

(5) Members of the public shall be entitled to address any meeting of the Authority held in accordance with the provisions of the last preceding subsection.

(6) Notwithstanding the provisions of the last two preceding subsections, the Authority may exclude members of the public from a meeting while matters relating to time tables or stopping places on the itinerary of a road service are determined and, if at any meeting there be no business other than the consideration of any such matter, the Authority shall not be required to comply with the provisions of subsection (4) of this section.

Police  
Committee  
to be heard  
on road  
service  
licence  
applications.

4. The Authority shall, before deciding whether or not to grant a road service licence in pursuance of the provisions of section nine of this Ordinance or on any matter affecting any such licence, hear the opinion of the Committee thereon, which opinion shall be stated verbally to the Authority by a person duly appointed to represent the Committee in that behalf.

Production  
of books,  
accounts,  
etc., and  
examination  
of persons  
on oath.

5. (1) Any person having in his possession or power any book, account, balance sheet, receipt or other document relating to the operation of a public service vehicle or a road service shall, on the receipt of a notice in that behalf signed by the President or Vice-President of the Authority, produce such book, account, balance sheet, receipt or other document as shall be specified in the notice for examination by the Authority for the purposes of the exercise of its powers under this Ordinance.

(2) The Authority may examine on oath any person concerned with the use of any public service

vehicle or the operation of any road service as respects any matter concerned with such operation.

(3) For the purposes of the last preceding subsection the President or Vice-President of the Authority may administer the oath.

(4) If any person refuses to produce to the Authority any book, account, balance sheet, receipt, or other document under the provisions of subsection (1) of this section or refuses to answer any question put to him by or on behalf of the Authority under the provisions of subsection (2) of this section, he shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty pounds.

## PART II

### GRANT AND RENEWAL OF PUBLIC SERVICE VEHICLE LICENCES AND ROAD SERVICE LICENCES, ETC.

6. Subject to the provisions of this Ordinance, a person shall not cause or permit a motor vehicle to be used as a public service vehicle on a public highway unless he holds a licence granted in accordance with the provisions of section nine of this Ordinance (hereinafter referred to as a "public service vehicle licence") for the use of that motor vehicle as a public service vehicle.

Prohibition on use of public service vehicle without a licence.

7. Subject to the provisions of this Ordinance, a person shall not operate or attempt to operate a public omnibus service or a public excursion service unless he holds a licence granted in accordance with the provisions of section nine of this Ordinance

Prohibition on operation of a road service without a licence.

(hereinafter referred to as a "road service licence") for the operation of that public omnibus service or that public excursion service, as the case may be.

Application  
for licences.

8. (1) A person desirous of obtaining a public service vehicle licence or a road service licence shall make application in that behalf to the Authority and such application shall be in such form and shall be accompanied by such information as the Authority may, from time to time, require.

(2) Upon receipt of an application under the provisions of the last preceding subsection, or at any time thereafter, the Authority may require an applicant to supply the Authority with such information, in addition to any information supplied in accordance with the provisions of the last preceding subsection, as the Authority may require.

Grant or  
refusal of  
licences.

9. Upon receipt of an application under the provisions of the last preceding section the Authority may either:—

(a) grant to the applicant—

(i) a public service vehicle licence or a road service licence, as the case may be; or

(ii) a public service vehicle licence or a road service licence, as the case may be, subject to such conditions as the Authority shall deem necessary or expedient to impose; or

(b) refuse to grant to the applicant a public service vehicle licence or a road service licence, as the case may be.

10. The Authority shall, in considering whether or not to grant an application for a licence under the provisions of the last preceding section, take into account as important factors:—

Factors to be taken into account.

- (a) in the case of an application for a public service vehicle licence, whether the requirements of the public are sufficiently met by the number of motor vehicles in respect of which there are already in force public service vehicle licences of the category being applied for;
- (b) in the case of an application for a road service licence, whether the itinerary in respect of which the licence is being applied for is already adequately served by a public omnibus service or a public excursion service, as the case may be, and the suitability of the itinerary for the operation of the public omnibus service or public excursion service applied for.

11. (1) A public service vehicle licence granted by the Authority in pursuance of the provisions of section nine of this Ordinance may be a licence of any of the categories set out in Part I of the First Schedule to this Ordinance.

Categories of licences.

(2) A road service licence granted by the Authority in pursuance of the provisions of section nine of this Ordinance may be a licence of either of the categories set out in Part II of the First Schedule to this Ordinance.

12. The Authority may, from time to time, place a limit on the number of public service vehicle licences which it is prepared to grant in pursuance of the provisions of section nine of this Ordinance

Limit on numbers of licences.

if it is satisfied that it is necessary or desirable so to do and the Authority may, from time to time, place different limits in respect of the different categories of licences set out in Part I of the First Schedule to this Ordinance.

Conditions to be complied with before grant of licences.

13. The Authority shall not grant a public service vehicle licence unless the motor vehicle in respect of which the licence is being applied for—

- (a) is for the time being licensed in accordance with the provisions of Article 3 of the Law entitled "Loi relative aux Automobiles" registered on the eleventh day of December, nineteen hundred and twenty-six(b);
- (b) is owned by the person making the application for the licence; and
- (c) is fitted with a right hand drive.

Period of validity of public service vehicle licences.

14. (1) Unless suspended or revoked under any of the provisions of this Ordinance, a public service vehicle licence granted in pursuance of the provisions of section nine of this Ordinance shall be valid until the thirty-first day of December next following the date of such grant and thereafter, upon being renewed in pursuance of the provisions of section sixteen of this Ordinance, shall be valid during the period commencing on the first day of January in any year and ending on the thirty-first day of December in that year, both dates inclusive.

(2) A public service vehicle licence shall cease to be valid if there ceases to be in force in relation to the user of the motor vehicle in respect of which the licence is in force, a policy of insurance in compliance with the provisions of the Road Traffic (Compulsory Third-Party Insurance) (Guernsey) Law, 1936(c).

(b) Ordres en Conseil Vol. VIII, p. 56

(c) Ordres en Conseil Vol. X, p. 388.

15. There shall be paid in advance to the Treasurer of the States in respect of every public service vehicle licence granted or renewed in pursuance of the provisions of section nine or section sixteen respectively of this Ordinance an annual fee calculated as follows, that is to say—

Fees for public service vehicle licences.

- (a) one pound and five shillings in the case of a licence which specifies that more than twelve passengers may be carried or fifteen shillings in the case of a licence which specifies that twelve passengers or less may be carried, and
- (b) the amount obtained by multiplying two shillings by the number of passengers specified in the licence as being the maximum number which may be carried seated in the public service vehicle in respect of which the licence is granted or renewed or an amount of ten shillings, whichever is the greater.

16. A public service vehicle licence granted in pursuance of the provisions of section nine of this Ordinance may be renewed for any year upon the payment to the Treasurer of the States on or before the thirty-first day of December next preceding, of the annual fee calculated as set out in the last preceding section.

Renewal of public service vehicle licences.

17. (1) Notwithstanding the provisions of section fourteen of this Ordinance, a public service vehicle licence shall cease to be valid when the person who is the holder of it ceases to be the owner of the motor vehicle in respect of which it was granted: Provided that the Authority may, upon application being made to it in that behalf, in its discretion,

Change of ownership.

transfer such licence to the new owner of the motor vehicle.

(2) A public service vehicle licence transferred in accordance with the provisions of the last preceding subsection shall be valid until the thirty-first day of December next following the date of such transfer.

(3) The person to whom a licence is transferred in pursuance of the provisions of subsection (1) of this section shall upon such transfer pay to the Treasurer of the States a transfer fee of two shillings and six pence.

Issue and  
display of  
plates.

18. (1) The Authority shall, on the grant of a public service vehicle licence in pursuance of the provisions of section nine of this Ordinance, or on the transfer of such a licence in pursuance of the provisions of the last preceding section, issue to the owner of the motor vehicle in respect of which the licence is granted a plate, in such form as the Authority may from time to time determine, for the purpose of identifying such vehicle as a motor vehicle in respect of which there is in force a public service vehicle licence and such owner shall cause such plate to be displayed at all times on such vehicle, in such place and in such manner as the Authority shall direct.

(2) The owner of a motor vehicle in respect of which there is in force a public service vehicle licence shall, as soon as may be after the licence ceases to be valid or is transferred in pursuance of the provisions of the last preceding section, return to the Authority the plate issued to him in pursuance of the provisions of the last preceding subsection.

(3) The owner of a motor vehicle in respect of which there is in force a public service vehicle

licence shall, on receipt of the plate issued to him in pursuance of the provisions of subsection (1) of this section, pay to the Authority the sum of ten shillings which sum shall be refunded to him upon the return of the plate in a condition satisfactory to the Authority.

19. (1) The Authority may at any time revoke, suspend or vary a public service vehicle licence or a road service licence and shall do so if in the opinion of the Authority the terms and conditions of the licence are not being complied with or, in the case of a public service vehicle licence, the owner of the motor vehicle in respect of which it was granted is not, by reason of his conduct, a fit and proper person to hold such a licence.

Revocation,  
suspension,  
etc. of  
public  
service  
vehicle  
licences.

(2) The power vested in the Authority under the provisions of the last preceding subsection to vary a public service vehicle licence or a road service licence shall include power to vary any conditions attached to any such licence.

20. (1) A public service vehicle licence granted in pursuance of the provisions of section nine of this Ordinance shall specify the maximum number of passengers which may be carried seated in the motor vehicle in respect of which it is granted and, in the case of a public service omnibus licence, the maximum number of passengers which may be carried standing in the motor vehicle in respect of which it is granted.

Maximum  
number of  
passengers  
to be  
carried.

(2) The number of passengers specified in pursuance of the provisions of the last preceding subsection shall—

(a) in the case of a motor vehicle in respect of which there is in force a public service

omnibus licence or a private hire omnibus licence, be more than seven;

(b) in any other case, be less than eight.

(3) The number of passengers which a public service vehicle is permitted to carry may be increased to the extent that any child who appears to be under the age of five years may not be counted as a passenger and every three children who appear to the said person to be over the age of five years but under the age of fourteen years may be counted as being equivalent to two passengers.

Itinerary,  
fare table  
and time  
table to be  
specified.

21. A road service licence granted in pursuance of the provisions of section nine of this Ordinance shall specify—

(a) the itinerary over which the public omnibus service or the public excursion service, as the case may be, to which the licence relates, shall be operated;

(b) the maximum fare which may be charged for each journey for each category of passenger conveyed (hereinafter referred to as "the fare table"); and

(c) in the case of a road service licence in respect of a public omnibus service—

(i) the times of departure from the termini and such intermediary points on the itinerary as the Authority shall determine (hereinafter referred to as "the time table"), and

(ii) the minimum service which shall be operated.

## PART III

GENERAL CONDITIONS OF THE EXERCISE  
OF PUBLIC SERVICE VEHICLE LICENCES  
AND ROAD SERVICE LICENCES

22. A person who is the holder of a public service omnibus licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used as a public service vehicle otherwise than to operate a public omnibus service or a public excursion service, as the case may be, save that that person may cause or permit that motor vehicle to be used as if there was in force in respect thereof a private hire omnibus licence if, when it is so used, there is displayed in a prominent position on the front thereof so as to be clearly legible at a reasonable distance therefrom, a sign bearing the word "PRIVATE".

Purposes  
for which  
omnibuses  
may be used.

23. A person who is the holder of a road service licence shall not operate the public omnibus service or public excursion service, as the case may be, to which the licence relates otherwise than by means of a motor vehicle in respect of which there is in force a public service omnibus licence.

Road services  
to be  
operated  
only by  
omnibuses.

24. A person, being in charge of a motor vehicle in respect of which there is in force a public service vehicle licence other than a taxi licence, shall not cause or permit that vehicle to be offered for use by standing on a rank approved by the Committee as a taxi rank (hereinafter referred to as "an approved taxi rank") or by plying for hire on the public highway.

Prohibition  
on using  
taxi ranks.

Prohibition  
on using  
omnibus  
termini.

25. A person, being in charge of a motor vehicle in respect of which there is in force a public service vehicle licence other than a public service omnibus licence, shall not cause or permit that vehicle to be offered for use by standing on a terminus approved by the Committee as an omnibus terminus (hereinafter referred to as "an approved omnibus terminus").

Provision  
of fire ex-  
tinguishers  
and braking  
lights.

26. (1) A person who is the holder of a public service vehicle licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used as a public service vehicle unless—

- (a) there is fitted in a prominent position on the inside of the vehicle a fire extinguisher of a pattern approved by the Authority, and
- (b) there is fitted at the rear of the vehicle a lamp so controlled mechanically that when the speed of the vehicle is reduced by reason of the application of the brake there is shown a red light clearly visible at a reasonable distance to the driver of a following vehicle,

and such fire extinguisher and such lamp are in good working order.

(2) Nothing in the last preceding subsection shall require the carrying of a separate lamp if there is carried in one or more units a lamp which satisfies the requirements of that subsection.

General  
conditions as  
to use of  
public  
service  
omnibuses.

27. (1) A person who is the holder of a public service omnibus licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used as a public service vehicle, unless:—

- (a) at the rear thereof there is a door (hereinafter referred to as the "emergency door") opening outwards, easily accessible to the passengers inside the vehicle and so fastened as to be easily opened in case of need from both the inside and the outside of the vehicle;
- (b) the position of the emergency door and the manner of opening that door is indicated in clear and legible letters placed in a prominent position on, or as near as may be to, the said door both on the inside and on the outside of the vehicle;
- (c) there is fitted on or near each door of the vehicle, other than the emergency door or any door used or intended for use solely by the driver thereof, a grab handle to assist passengers in boarding or alighting from the vehicle;
- (d) the doorways of the vehicle, other than the emergency door and any doorway used or intended for use solely by the driver thereof, are eighteen or more inches in width or, in the case where the door does not open to the full extent of any such doorway, the space for the entry into or alighting therefrom of passengers is eighteen or more inches in width;
- (e) the vehicle is fitted at the front and rear with illuminated direction indicators of such type and in such manner as may, from time to time, be approved by the Authority;
- (f) there is displayed on the vehicle in such place and in such form as the Authority may, from time to time, determine, a notice stating the maximum number of

passengers which the said licence permits to be carried seated and to be carried standing at any one time; and

- (g) there is carried on the vehicle and available on demand for the information of any passenger therein a copy of the fare table and, if the vehicle is being used to operate a public omnibus service, the time table for the itinerary over which the vehicle is operating.

(2) The provisions of paragraph (a) and paragraph (b) of the last preceding subsection shall not apply in the case of any such vehicle where the doorway for the entry into and alighting therefrom of passengers is at the rear thereof.

General conditions as to use of taxis.

28. A person who is the holder of a taxi licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used as a public service vehicle unless:—

(a) the vehicle—

- (i) has four doors;
- (ii) is fitted with a taximeter of such pattern, in such place and in such manner as may, from time to time, be approved by the Authority;
- (iii) has displayed thereon in a prominent position so as to be clearly legible at a reasonable distance from the front of the vehicle a sign bearing the word "TAXI" and, during the hours of darkness, such sign is illuminated when the vehicle is available for hire;
- (iv) has displayed therein in such position and in such manner as may, from time

to time, be approved by the Authority a notice supplied by the Authority stating the maximum number of passengers which the said licence permits to be carried therein at any one time and the maximum fares which may be charged for the hire of the vehicle as determined by the Authority in pursuance of the provisions of section forty-two of this Ordinance;

- (b) the taximeter required to be fitted to the vehicle in accordance with the provisions of sub-paragraph (ii) of the last preceding paragraph has been adjusted and sealed by or on behalf of the Authority in such manner as to record mechanically the maximum fare which may be charged, as determined for the time being by the Authority in pursuance of the provisions of section forty-two of this Ordinance for the hire of the vehicle for any journey.

29. A person, being in charge of a motor vehicle in respect of which there is in force a taxi licence, shall, immediately upon the vehicle being hired, set in motion the taximeter fitted thereto in accordance with the provisions of the last preceding section and shall, immediately upon the vehicle ceasing to be hired by that person, stop the taximeter. Taximeters to be used.

30. A person who is the holder of a private hire omnibus licence shall not cause or permit the motor vehicle in respect of which he holds such licence to be used as a public service vehicle unless:— General conditions as to use of private hire omnibuses.

- (a) there is displayed in a prominent position on the front thereof so as to be clearly legible from a reasonable distance therefrom a sign bearing the word "PRIVATE"; and
- (b) there is displayed therein in such position and in such manner as may, from time to time, be approved by the Authority a notice supplied by the Authority stating the maximum number of passengers which the said licence permits to be carried at any one time.

General conditions as to use of private hire motor cars.

31. (1) A person who is the holder of a private hire motor car licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used as a public service vehicle unless:—

- (a) there is displayed therein in such position and in such manner as may, from time to time, be approved by the Authority a notice supplied by the Authority stating the maximum number of passengers which the said licence permits to be carried at any one time; and
- (b) such vehicle has four doors.

(2) A person who is the holder of a private hire motor car licence shall not:—

- (a) fit or cause or permit to be fitted to the motor vehicle in respect of which he holds that licence a taximeter of any description; and
- (b) cause or permit such vehicle—

- (i) to carry any sign conveying or intended to convey to the public that the vehicle is available for hire, other than a label

of a size not exceeding five inches in length by three inches in breadth containing the name and address and telephone number of the owner of such vehicle and affixed to the windscreen of such vehicle in such position as may, from time to time, be approved by the Authority;

- (ii) to be hired or made available for hire to any person otherwise than in response to a written order delivered to, a telephone order given to a person at, or a personal call at, the address contained in the label referred to in the last preceding sub-paragraph.

(3) A person, being in charge of a motor vehicle in respect of which there is in force a private hire motor car licence, shall not cause or permit that vehicle to be parked on a public highway whilst a label is displayed on that vehicle in accordance with the provisions of sub-paragraph (i) of paragraph (b) of the last preceding subsection:

Provided that the provisions of this subsection shall not apply when that vehicle is on hire to a passenger.

32. A person, being in charge of a motor vehicle in respect of which there is in force a taxi licence, shall not:—

Require-  
ments as to  
use of taxis.

- (a) while that vehicle is standing on an approved taxi rank refuse an offer of hire save that he may refuse such an offer if it is for a period of more than one hour's duration, or if he has good reason to believe that the fare will not be paid;
- (b) refuse to carry the maximum number of passengers which the said licence permits to be carried:

Provided that he may refuse to carry as a passenger any person whose condition or conduct is objectionable or is likely to become objectionable;

- (c) refuse to carry the luggage of the passengers in the vehicle unless the total weight of all such luggage exceeds one hundred pounds, or, by reason of the size or nature of such luggage or any part thereof it cannot reasonably be carried in or on the vehicle;
- (d) importune any person to hire the vehicle;
- (e) leave the vehicle unattended by him on an approved taxi rank for any period in excess of fifteen minutes.

Reporting of defects in public service vehicles.

33. A person who is the holder of a public service vehicle licence shall not cause or permit the motor vehicle in respect of which he holds that licence to be used if by reason of some defect or other happening to the vehicle the safety of any person who may be carried therein or of any other person may be impaired and he shall as soon as may be report the matter to the Authority:

Provided that the provisions of this section shall not apply in the case of a defect or other happening rectifiable by minor repairs or adjustments.

Reporting of alterations to public service vehicles.

34. A person who is the holder of a public service vehicle licence shall as soon as may be after any alteration has been made to the structure or fixed equipment of the motor vehicle in respect of which he holds that licence, send in writing full details of such alteration to the Authority:

Provided that the provisions of this section shall not apply in the case of any alteration by way of the replacement of any part.

35. (1) A police officer or an examiner may at any time examine any public service vehicle including any equipment attached thereto for the purposes of ensuring that the provisions of this Ordinance are being complied with and for that purpose may require any such vehicle to be stopped. Examination of public service vehicles.

(2) A police officer or an examiner may at any time test, adjust and seal a taximeter fitted to a motor vehicle in accordance with the provisions of sub-paragraph (ii) of paragraph (a) of section twenty-eight of this Ordinance so that it records mechanically the maximum fare which may be charged, as determined for the time being by the Authority in pursuance of this Ordinance, for the hire of the vehicle for any journey.

(3) For the purposes of subsection (1) of this section the power to examine any public service vehicle shall include a power to enter any such vehicle.

(4) As soon as may be after the examination of a public service vehicle in pursuance of the provisions of subsection (1) of this section the person who examined it shall, if he considers that the vehicle is unfit for the carriage of passengers by reason of some defect therein or that it may become unfit for such purpose unless such defect is remedied, report the fact in writing to:—

- (a) in the case of an examination by a police officer, the Chief Officer of Police;
- (b) in any other case, the Authority.

(5) The Chief Officer of Police shall, on receipt of a report in accordance with the provisions of the last preceding subsection, or as soon as may be thereafter, send a copy of the report to the Authority:

Provided that the provisions of this subsection shall not prejudice the taking of any other action by the Chief Officer of Police.

Designated  
stopping  
places.

36. (1) A person, being in charge of a motor vehicle in respect of which there is in force a public service omnibus licence, shall not stop such vehicle for the purpose of putting down or taking up passengers except at such stopping places as shall from time to time be designated by the Authority in that behalf by means of signs erected, placed or marked on or near the public highway by or on behalf of the Authority.

(2) The Authority shall give at least seven days' notice by means of a notice published in "La Gazette Officielle" of any change in the places designated as stopping places as aforesaid:

Provided that such notice shall not be required in the case of a change of limited duration necessary because of road works or other special circumstances.

Prohibition  
on spitting.

37. (1) A person shall not while he is in a motor vehicle in respect of which there is in force a public service vehicle licence spit in, on or from that vehicle.

(2) A person who contravenes the provisions of the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding two pounds.

(3) A person who is the holder of a public service omnibus licence shall cause to be displayed at all times in a prominent place in that part of the motor vehicle in respect of which he holds that licence set aside for the carriage of passengers a notice, in clear and legible letters of not less than one and one half inches in height, in the terms set out in the Second Schedule to this Ordinance.

(4) A person who fails to comply with the provisions of the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding ten shillings.

38. A person, being in charge of a motor vehicle in respect of which there is in force a public service vehicle licence, shall not smoke in such vehicle during a journey when passengers are being conveyed.

Smoking by drivers prohibited.

39. A person shall not pour petrol into or remove petrol from a motor vehicle in respect of which there is in force a public service vehicle licence whilst there is a passenger inside such vehicle.

Control of filling with petrol.

40. A person shall not take any animal in a motor vehicle in respect of which there is in force a public service vehicle licence without the consent of the person in charge thereof or retain any animal therein after being requested by such person in charge to remove it therefrom, or, in the case where such person in charge has consented to the animal being taken in or retained in such vehicle, place such animal elsewhere than as directed by such person in charge.

Carriage of animals.

41. A person while travelling in a motor vehicle in respect of which there is in force a public service vehicle licence shall not:—

Sitting and standing in vehicles.

- (a) use or occupy a seat on the right hand side of the person in charge of such vehicle; or
- (b) stand in such vehicle except at the rear of the seat provided for the person in charge.

## PART IV

MISCELLANEOUS, APPEALS, PENALTIES,  
INTERPRETATION AND COMMENCEMENT

Determina-  
tion of taxi  
fares.

42. The Authority may, from time to time, determine the maximum fares, as well for time as distance, which may be charged for the hire of a motor vehicle in respect of which there is in force a taxi licence.

Charging of  
excess fares.

43. (1) A person, being in charge of a motor vehicle in respect of which there is in force a taxi licence, shall not charge or attempt to charge a fare for the hire of that vehicle by a person for a journey in excess of the fare recorded on the taximeter fitted to the vehicle in accordance with the provisions of paragraph (a) of section twenty-eight of this Ordinance for the hire of the vehicle by that person for that journey.

(2) A person, being in charge of a motor vehicle in respect of which there is in force a public service omnibus licence, shall not charge or attempt to charge a person a fare for any journey in excess of the maximum fare specified in the fare table for that journey.

Prohibition  
on the car-  
riage of  
excess  
passengers.

44. (1) A person, being in charge of a motor vehicle in respect of which there is in force a public service vehicle licence, shall not cause or permit any passengers to be carried in that vehicle at any one time in excess of the maximum number of passengers which the said licence permits to be carried at any one time.

(2) A passenger in a motor vehicle in respect of which there is in force a public service vehicle

licence shall leave that vehicle if requested so to do by the person in charge thereof for the purposes of ensuring that the provisions of the last preceding subsection are complied with.

45. Where the Authority refuses to grant a public service vehicle licence to any person or grants such a licence subject to conditions or suspends or varies such a licence, notice in writing of such refusal, grant, suspension or variation setting out the reasons therefor and signed by the President of the Authority shall be served, as soon as may be, on the applicant for the licence or the holder of the licence, as the case may be.

Notice of refusal to grant a licence and notice of conditions.

46. Any notice which may be served for the purposes of this Ordinance shall be validly served:—

Service of notices.

- (a) on any person, if delivered to him, left, or sent by registered post or recorded delivery service to him, at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm or left at, or sent by registered post or recorded delivery service to, the principal or last known principal place of business of the firm;
- (c) on any body corporate, if left at, or sent by post to, its registered office if situate in this Island, or, if its registered office is not so situate, its principal or last known principal place of business in this Island.

47. (1) Any person aggrieved by any decision of the Authority in pursuance of the provisions of sub-paragraph (ii) of paragraph (a) or paragraph (b) of section nine or of section nineteen of this Ordinance may, within thirty days from the date of

Appeals.

the service on him of a notice in pursuance of the provisions of section forty-five of this Ordinance, appeal to the Royal Court sitting as a Full Court on the grounds that the decision of the Authority was an unreasonable exercise of its powers:

Provided that an appeal shall not lie against a decision of the Authority to suspend a public service vehicle licence for a period of less than thirty days.

(2) An appeal under the last preceding subsection shall be instituted by way of summons served on the President of the Authority to show cause why the decision appealed from should not be set aside or varied and such summons shall set out the material facts upon which the appellant relies.

Offences by  
bodies  
corporate.

48. Where a person convicted of an offence under this Ordinance is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

Penalties.

49. (1) Except where otherwise specifically provided in this Ordinance, any person who contravenes or fails to comply with any of the provisions of this Ordinance or any conditions attached to any public service vehicle licence or road service licence granted hereunder or who, in connection with any application for the grant of a public service vehicle licence or road service licence under this Ordinance, knowingly makes any false statement or recklessly makes any statement which is false in a material particular, shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

(2) Any person who obstructs any person in the exercise of his powers under this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

50. (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

Interpreta-  
tion.

the expressions "hired motor vehicle", "motor vehicle", "public highway" and "public vehicle" have the meanings respectively assigned to them in section four of the principal Law;

"the Chief Officer of Police" means the Chief Officer of the Island Police Force;

"the Committee" means the Island Police Committee;

"examiner" means a person appointed by the States Civil Service Board to examine public service vehicles on behalf of the Authority;

"the fare table" has the meaning assigned to it by section twenty-one of this Ordinance;

"the hours of darkness" means the time between half an hour after sunset on any day and half an hour before sunrise on the day next following;

"owner" means, in relation to a motor vehicle, the person in whose name the motor vehicle is licensed in pursuance of the Law entitled "Loi relative aux Automobiles" registered on the eleventh day of December, nineteen hundred and twenty-six, and the expressions "owned" and "ownership" shall be construed accordingly;

“police officer” means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;

“the principal Law” means the Public Transport Licensing (Guernsey) Law, 1964;

“private hire motor car licence” means a public service vehicle licence granted in respect of a motor vehicle in pursuance of the provisions of section nine of this Ordinance for the use of that vehicle as a private hire motor car;

“private hire omnibus licence” means a public service vehicle licence granted in respect of a motor vehicle in pursuance of the provisions of section nine of this Ordinance for the use of that vehicle as a private hire omnibus;

“public excursion service” means a service for the carriage of passengers for hire or reward in a motor vehicle in respect of which there is in force a public service omnibus licence at separate fares on a journey or circuit commencing at one or more places and returning to those places respectively and not stopping otherwise to take up or set down passengers;

“public omnibus service” means a service for the carriage of passengers for hire or reward in a motor vehicle in respect of which there is in force a public service omnibus licence on a route between termini at separate fares, stage by stage, and stopping to pick up or set down passengers along the line of route;

“public service omnibus licence” means a public service vehicle licence granted in respect of a motor vehicle in pursuance of the provisions of section nine of this Ordinance for

the use of that vehicle as a public service omnibus;

“public service vehicle” means a public vehicle other than a hired motor vehicle;

“road service” means a public omnibus service or a public excursion service;

“taxi licence” means a public service vehicle licence granted in respect of a motor vehicle in pursuance of the provisions of section nine of this Ordinance for the use of that vehicle as a taxi;

“the time table” has the meaning assigned to it by section twenty-one of this Ordinance.

(2) Except where the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as including a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Ordinance.

51. There is hereby inserted immediately after sub-paragraph (2) of paragraph 14 of Article IX of the Ordinance entitled “Ordonnance relative au Trafic Véhiculaire en cette Ile” of the second day of March, nineteen hundred and twenty-nine, as amended<sup>(d)</sup> the following additional sub-paragraph numbered “(3)” —

Amendment  
to Ordinance  
of 1929.

“(3) For the purposes of this paragraph the expression “public service vehicle” shall have the meaning assigned thereto by section fifty of the Public Transport Licensing Ordinance, 1966.”

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(d) Recueil d'Ordonnances Tome VIII, pp. 184 and 193.

Citation. 52. This Ordinance may be cited as the Public Transport Licensing Ordinance, 1966.

Commence- 53. (1) Part I and Part IV of this Ordinance shall  
ment. come into force on the twenty-ninth day of June, nineteen hundred and sixty-six.

(2) Part II and Part III of this Ordinance shall come into force on the first day of October, nineteen hundred and sixty-six.

#### FIRST SCHEDULE Section eleven

##### PART I

#### CATEGORIES OF PUBLIC SERVICE VEHICLE LICENCES

Public service omnibus licence.

Taxi licence.

Private hire omnibus licence.

Private hire motor car licence.

##### PART II

#### CATEGORIES OF ROAD SERVICE LICENCES

Public omnibus service licence.

Public excursion service licence.

#### SECOND SCHEDULE Section thirty-seven

##### *Form of Notice*

SPITTING PROHIBITED—Penalty £2

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