



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *Licensing and regulation of taxis and private hire cars*

#### **13 Taxi and private hire car driving licences.**

- (1) A licence, to be known as a “taxi driver’s licence” or, as the case may be, a “private hire car driver’s licence”, shall, subject to subsection (2) below, be required for driving or otherwise having charge of a taxi or private hire car.
  - (2) A private hire car driver’s licence shall not be required by the holder of a taxi driver’s licence for driving or otherwise having charge of a private hire car whilst in operation as such.
  - (3) A licensing authority shall not grant a licence to any person under this section unless that person has held, [<sup>F1</sup>throughout the period of 12 months immediately] prior to the date of his application, a licence authorising him to drive a motor car issued under Part III of the <sup>M1</sup>Road Traffic Act 1972 or a licence which would at the time of his application entitle him to such a licence without taking a test, not being a provisional licence.
- [<sup>F2</sup>(3A) A licensing authority shall not grant a licence to any person under this section unless the authority is satisfied that the person is not disqualified by reason of the person's immigration status from driving a taxi or private hire car.
- (3B) Section 13A makes provision for the purposes of subsection (3A) about the circumstances in which a person is disqualified by reason of the person's immigration status from driving a taxi or private hire car.
- (3C) In determining for the purposes of subsection (3A) whether a person is disqualified by reason of the person's immigration status from driving a taxi or private hire car, a licensing authority must have regard to any guidance issued by the Secretary of State.]

*Changes to legislation: Civic Government (Scotland) Act 1982, Section 13 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) A licensing authority may, at any time, for the purposes of satisfying themselves that he is physically fit to drive a taxi or, as the case may be, private hire car, require an applicant for or holder of a taxi driver's licence or private hire car driver's licence to submit to medical examination, at their expense, by a medical practitioner nominated by them.
- (5) A licensing authority may require an applicant for a taxi driver's licence [<sup>F3</sup>or a private hire car driver's licence] to take a test of his knowledge of the area to which the licence is to relate, of the layout of roads in that area and such other matters relating to the operation of a taxi [<sup>F4</sup>or, as the case may be, private hire car] as the authority consider desirable, and the authority may refuse to grant a licence to a person who does not satisfy them that he has adequate knowledge of any of these matters.
- (6) If a person holding a licence under this section ceases for any reason to be authorised by law to drive on a road . . . <sup>F5</sup> the vehicle to which the licence relates, the licence shall cease to have effect.

#### Textual Amendments

- F1** Words in s. 13(3) substituted (1.11.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010](#) (asp 13), **ss. 174(2)**, 206(1); S.S.I. 2011/354, art. 2, sch. (with art. 3)
- F2** S. 13(3A)-(3C) inserted (1.12.2016) by [Immigration Act 2016](#) (c. 19), s. 94(1), **Sch. 5 para. 30** (with [Sch. 5 para. 54](#)); S.I. 2016/1037, reg. 5(i)
- F3** Words in s. 13(5) inserted (1.11.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015](#) (asp 10), **ss. 64(a)**, 88(2); S.S.I. 2016/307, art. 2, sch.
- F4** Words in s. 13(5) inserted (1.11.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015](#) (asp 10), **ss. 64(b)**, 88(2); S.S.I. 2016/307, art. 2, sch.
- F5** Words repealed by [Roads \(Scotland\) Act 1984](#) (c. 54, SIF 108), s. 156(3), **Sch. 11**

#### Modifications etc. (not altering text)

- C1** S. 13(3A)-(3C) applied (1.12.2016) by [Immigration Act 2016](#) (c. 19), s. 94(1), **Sch. 5 para. 56(9)**; S.I. 2016/1037, reg. 5(i)

#### Marginal Citations

- M1** 1972 c. 20.

**Changes to legislation:**

Civic Government (Scotland) Act 1982, Section 13 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)