



Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Taxis and hire cars

12 Use of taxis [^{F1}or hire cars] in providing local services.

- (1) Where the holder of a taxi licence [^{F2}or a private hire vehicle licence] —
- (a) applies to [^{F3}a] traffic commissioner for a restricted PSV operator's licence to be granted to him under Part II of the 1981 Act; and
 - (b) states in his application that he proposes to use one or more licensed taxis [^{F4}or licensed hire cars] to provide a local service;
- section 14 of the 1981 Act (conditions to be met before grant of PSV operator's licence) shall not apply and the commissioner shall grant the application.
- (2) In this section “special licence” means a restricted PSV operator's licence granted by virtue of this section.
- ^{F5}(3)
- (4) Without prejudice to his powers to attach other conditions under section 16 of the 1981 Act, any traffic commissioner granting a special licence shall attach to it, under that section, the conditions mentioned in subsection (5) below.
- (5) The conditions are—
- (a) that every vehicle used under the licence shall be one for which the holder of the licence has a taxi licence [^{F6}or a private hire vehicle licence]; and
 - (b) that no vehicle shall be used under the licence otherwise than for the purpose of providing a local service with one or more stopping places within the area of the authority which granted [^{F7}the relevant licence for that vehicle].
- (6) In subsection (5)(b) above “local service” does not include an excursion or tour.

Changes to legislation: Transport Act 1985, Section 12 is up to date with all changes known to be in force on or before 14 May 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

- (7) The maximum number of vehicles which the holder of a special licence may at any one time use under the licence shall be the number of vehicles for which (for the time being) he holds [^{F8}relevant licences]; and a condition to that effect shall be attached to every special licence under section 16(1) of the 1981 Act.
- (8) Section 1(2) of the 1981 Act (vehicle used as public service vehicle to be treated as such until that use is permanently discontinued) shall not apply to any use of a licensed taxi [^{F9}or a licensed hire car] for the provision of a local service under a special licence.
- (9) At any time when a licensed taxi [^{F10}or a licensed hire car] is being so used it shall carry such documents, plates and marks, in such manner, as may be prescribed.
- (10) [^{F11}At any time when a licensed taxi or a licensed hire car is being so used the prescribed provisions of the taxi code or, as the case may be, the hire car code shall apply in relation to it;] and any such provision may be so applied subject to such modifications as may be prescribed.
- [^{F12}(10A) In subsections (9) and (10) “prescribed” means prescribed by the appropriate authority.]
- (11) For the purposes of section 12(3) of the 1981 Act (which provides that where two or more PSV operators’ licences are held they must be granted ^{F13}... for different traffic areas), special licences shall be disregarded.
- (12) A person may hold more than one special licence but shall not at the same time hold more than one such licence [^{F14}in relation to] a particular traffic area.
- (13) The following provisions shall not apply in relation to special licences or (as the case may be) the use of vehicles under such licences—
- (a) sections 16(1A) and (2), 17(3)(d), 18 to 20 ^{F15}. . . and 26 of the 1981 Act; and
 - (b) section 26(5) and (6) of this Act;
- and for the purposes of section 12 of that Act this section shall be treated as if it were in Part II of that Act.

Textual Amendments

- F1** Words in s. 12 heading inserted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(9), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F2** Words in s. 12(1) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(2)(a), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F3** Word in s. 12(1)(a) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), Sch. 1 (with arts. 1(3), 2, 7)
- F4** Words in s. 12(1)(b) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(2)(b), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F5** S. 12(3) repealed (1.1.1996) by 1994 c. 40, ss. 68, 81, Sch. 14 para. 8, Sch. 17; S.I. 1995/2835, art. 2
- F6** Words in s. 12(5) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(3)(a), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F7** Words in s. 12(5) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(3)(b), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F8** Words in s. 12(7) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(4), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F9** Words in s. 12(8) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), ss. 53(5), 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

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- F10** Words in s. 12(9) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 53(6)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F11** Words in s. 12(10) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 53(7)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F12** S. 12(10A) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 53(8)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1
- F13** Words in s. 12(11) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F14** Words in s. 12(12) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F15** Word in s. 12 repealed (1.4.1991) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 16, **Sch. 6**

Modifications etc. (not altering text)

- C1** S. 12(12) amended by S.I. 1986/1628, **reg. 5(1)**

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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. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)