



Jersey

# **MOTOR TRAFFIC (TAXI-CABS – GENERAL) (JERSEY) ORDER 2002<sup>1</sup>**

## **Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 1 January 2019 to 30 May 2021



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## MOTOR TRAFFIC (TAXI-CABS – GENERAL) (JERSEY) ORDER 2002

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## MOTOR TRAFFIC (TAXI-CABS – GENERAL) (JERSEY) ORDER 2002

**THE HOME AFFAIRS COMMITTEE**, in pursuance of Articles 37, 38(1) and 46 of the [Motor Traffic \(Jersey\) Law 1935](#), orders as follows –

Commencement [[see endnotes](#)]

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### 1 Interpretation

In this Order, unless the context otherwise requires –

“accessible standard” means either or both of the following –

- (a) the requirements of Articles 26 to 32; or
- (b) the requirements of Article 33,

of the [Motor Traffic \(Public Service Vehicles \(Conditions of Fitness\)\) \(Jersey\) Order 2003](#);

“electronic payment device” means a device –

- (a) for the payment of fares by means other than cash; and
- (b) which fulfils the description in, and is approved in accordance with, Article 6A;

“Law” means the [Motor Traffic \(Jersey\) Law 1935](#);

“limousine taxi-cab” means a cab the public service vehicle licence of which prohibits it from using taxi ranks;

“private-hire cab” means a cab the public service vehicle licence of which restricts its use of taxi ranks;

“taxi” means a cab the public service vehicle licence of which permits it to use taxi ranks without restriction;

“taxi rank” means a stand established by a Minister<sup>2</sup> in accordance with Article 37 of the Law for use by cabs.<sup>3</sup>

**2 Use of taxi ranks – taxis<sup>4</sup>**

A taxi may –

- (a) stand on a taxi rank; and
- (b) pick up passengers at a taxi rank.<sup>5</sup>

**3 Use of taxi ranks – private-hire cabs<sup>6</sup>**

- (1) Except as provided by paragraph (2), a private-hire cab must not –
  - (a) stand on a taxi rank; or
  - (b) pick up passengers at a taxi rank.<sup>7</sup>
- (2) A private-hire cab may pick up passengers at a taxi rank established at the Airport, Albert Pier or Elizabeth Harbour if no taxi is standing on the rank.<sup>8</sup>
- (3) A private-hire cab may stand on a taxi rank or pick up passengers at a taxi rank if –
  - (a) there is an indication on the taxi rank of such specified times as the Minister may determine during which the taxi rank may be used for such purposes; and
  - (b) the private hire-cab is using the taxi rank for such purposes during those times.<sup>9</sup>
- (4) A private-hire cab may stand on a taxi rank or pick up passengers at a taxi rank if –
  - (a) it meets the accessible standard; and
  - (b) there is displayed on the exterior of the vehicle an indication approved by the Inspector that it meets the accessible standard.<sup>10</sup>

**4 Controls on limousine taxi-cabs**

- (1) A limousine taxi-cab must not –
  - (a) stand on a taxi rank; or
  - (b) pick up passengers at a taxi rank.
- (2) A limousine cab must not be used to provide a cab service otherwise than in accordance with a pre-arrangement that does not require payment of the hire fee to the driver of the vehicle at the time of the provision of the service or immediately thereafter.
- (3) A limousine cab must not be used to provide a cab service if it is fitted with a sign or any equipment that indicates it to be a cab.
- (4) Paragraph (3) does not apply to a plate displayed in accordance with Article 13(2) of the Law.

**5 Wrongful use of taxi ranks**

A vehicle that is not a cab must not –

- (a) stop on a taxi rank; or
- (b) wait on a taxi rank.

**6 Taxi-meters to be fitted**

- (1) A taxi or private-hire cab must not be used to provide a cab service unless it is fitted with a properly operating taxi meter of a design approved by the Inspector.<sup>11</sup>
- (2) A taxi meter is operating properly if –
  - (a) it is set to calculate correctly the appropriate fares and charges prescribed in accordance with Article 38(2)(a) of the Law;
  - (b) the information it displays is discernible by a passenger in the cab;
  - (c) any device designed to secure the integrity of the meter has not been tampered with.

**6A Electronic payment devices to be fitted<sup>12</sup>**

- (1) A taxi or private-hire cab must not be used to provide a cab service unless it is fitted with a properly operating electronic payment device of a design approved by the Inspector.
- (2) An electronic payment device is operating properly if –
  - (a) it is capable at all times of completing, by means of electronic communication, transactions for the payment of fares and charges applicable to the hire of the cab;
  - (b) it does not produce any electromagnetic or other signal capable of adversely affecting the safe and effective operation of the cab or of any other device required by law to be within the cab; and
  - (c) it produces, or can produce, a printed receipt for each transaction for which it is used.
- (3) Nothing in this Article obliges a passenger in a cab to pay fares or charges using an electronic payment device.
- (4) For the purposes of this Article –

“electronic” includes electrical, digital, magnetic, electromagnetic or any other technology that entails capabilities similar to those technologies; and

“electronic communication” means a communication of information transmitted –

  - (a) by means of guided or unguided electromagnetic energy or of both; or
  - (b) by other means but while in electronic form.

**7 Signs to be fitted**

A taxi or private-hire cab must not be used to provide a cab service unless it is fitted, in a position approved by the Inspector, with a properly operating sign of a design approved by the Inspector that –

- (a) shows the vehicle to be a cab; and
- (b) can show if the cab is available for hire.<sup>13</sup>

**8 Notice of fares and charges to be displayed**

A taxi or private-hire cab must not be used to provide a cab service unless there is displayed inside the cab in a position where it may be easily read by a passenger a sign in a form approved by the Inspector showing the fares and charges prescribed under Article 38(2)(a) of the Law that are applicable to the hire of the cab.<sup>14</sup>

**9 Notice of public service vehicle licence number to be displayed**

A cab must not be used to provide a cab service unless there is displayed inside the cab in a position where it may be easily read by a passenger a sign in a form approved by the Inspector showing the number of the public service vehicle licence granted in respect of the cab.

**9A Notice of electronic payment facility to be displayed<sup>15</sup>**

A taxi or private-hire cab must not be used to provide a cab service unless there is displayed inside the cab, in a position where it may be easily read by a passenger, a sign in a form approved by the Inspector indicating –

- (a) that payment of fares and charges applicable to the hire of the cab may be made using an electronic payment device; and
- (b) the type of electronic payment device available in the cab for purpose of making such payment.

**10 Passenger misbehaviour**

A passenger in a cab must not –

- (a) behave in a disorderly manner;
- (b) continue to consume food or drink after being asked by its driver to stop doing so;
- (c) continue to play a device that produces sounds audible to its driver after being asked by the driver to stop doing so;
- (d) continue with any behaviour that distracts the attention of its driver after being requested by the driver to stop the behaviour;
- (e) fail to leave the cab when requested to do so by its driver either on the passenger reaching the person's destination or at any other time.

**11 Enforcement**

- (1) If a cab is allowed to stand on a taxi rank or is used to pick up a passenger at a taxi rank in either case contrary to Article 3(1) or 4(1) that action is to be taken to be a breach of the cab's public service vehicle licence and renders the licence liable to be revoked or suspended in accordance with Article 10(1)(b) of the Law.
- (2) A person who stops a vehicle on a taxi rank or allows a vehicle to wait on a taxi rank contrary to Article 5 is guilty of an offence.
- (3) If there is a breach of Article 4(2) or (3), 6(1), 6A(1), 7, 8, 9 or 9A the driver of the cab and, if different, its owner are each guilty of an offence.<sup>16</sup>

- (4) A passenger who fails to comply with a requirement of Article 10 is guilty of an offence.
- (5) A person guilty of an offence under this Order is liable to a fine not exceeding level 2 on the standard scale.

## **12 Transitional provisions**

- (1) A cab that immediately before the commencement of this Order was a public rank taxi as defined by the Public Rank Taxis (Jersey) Regulations 1956 shall on that commencement be taken to be a controlled taxi-cab and the public service vehicle licence granted in respect of the cab shall be taken for the purpose of this Order to contain a condition giving the cab unrestricted use of all taxi ranks.
- (2) A cab that immediately before the commencement of this Order was not a public rank taxi as defined by the Public Rank Taxis (Jersey) Regulations 1956 although the charge for the hire of the cab was generally calculated by reference to a taxi meter shall on that commencement be taken to be a restricted taxi-cab and the public service vehicle licence granted in respect of the cab shall be taken for the purpose of this Order to contain a condition prohibiting the use of taxi ranks except to the extent allowed by Article 3(2).
- (3) A cab that immediately before the commencement of this Order was not a public rank taxi as defined by the Public Rank Taxis (Jersey) Regulations 1956 and the charge for the hire of the cab was not generally calculated by reference to a taxi meter shall on that commencement be taken to be a limousine taxi-cab and the public service vehicle licence granted in respect of the cab shall be taken for the purpose of this Order to contain a condition prohibiting the use of taxi ranks.
- (4) In this Article “controlled taxi-cab” and “restricted taxi-cab” have, respectively, the same meanings as “taxi” and “private-hire cab”.<sup>17</sup>

## **13 Citation**

This Order may be cited as the Motor Traffic (Taxi-Cabs – General) (Jersey) Order 2002.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Motor Traffic (Taxi-Cabs – General) (Jersey) Order 2002	<a href="#">R&amp;O.137/2002</a>	19 November 2002
Motor Traffic (Taxi-Cabs – General) (Amendment) (Jersey) Order 2016	<a href="#">R&amp;O.95/2016</a>	19 September 2016
Motor Traffic (Taxi-Cabs – General) (Amendment No. 2) (Jersey) Order 2018	<a href="#">R&amp;O.38/2018</a>	4 April 2018

### Table of Renumbered Provisions

Original	Current
1(1)	1
1(2)	spent, omitted from this revised edition
1(3)	spent, omitted from this revised edition

### Table of Endnote References

<sup>1</sup> This Order was repealed by the Motor Traffic (Cabs – General) (Jersey) Order 2021 on 31 May 2021

<sup>2</sup> The functions of Committees of the States were transferred to Ministers by the States of Jersey (Transfer of Functions from Committees to Ministers) (Jersey) Regulations 2005 chapter 16.800.30

<sup>3</sup> Article 1 amended by R&O.95/2016, R&O.38/2018

<sup>4</sup> Article 2 heading amended by R&O.95/2016

<sup>5</sup> Article 2 amended by R&O.95/2016

<sup>6</sup> Article 3 heading amended by R&O.95/2016

<sup>7</sup> Article 3(1) amended by R&O.95/2016

<sup>8</sup> Article 3(2) substituted by R&O.95/2016

<sup>9</sup> Article 3(3) added by R&O.95/2016

<sup>10</sup> Article 3(4) added by R&O.95/2016

<sup>11</sup> Article 6(1) amended by R&O.95/2016

<sup>12</sup> Article 6A inserted by R&O.38/2018

<sup>13</sup> Article 7 amended by R&O.95/2016

<sup>14</sup> Article 8 amended by R&O.95/2016

<sup>15</sup> Article 9A inserted by R&O.38/2018

<sup>16</sup> Article 11(3) amended by R&O.38/2018

<sup>17</sup> Article 12(4) added by R&O.95/2016