

Public Carriage Office

Consultation on the Licensing of Pedicabs

28 June 2006



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Further copies of this document can be obtained from the PCO website: www.tfl.gov.uk/pedicabs
email: pedicabs@pco.org.uk or by telephone to **020 7126 1966** (Fax 020 7126 1933).

1.0 Introduction

- 1.1 This document proposes a form of licensing for pedicabs, their owners and their riders in London. It is a consultation document and comments are invited from all those who have an interest in this activity. The procedure for responding is set out in section 3.
- 1.2 In the light of the Better Regulation Taskforce report, the Public Carriage Office (PCO) expects to be reviewing the legislative requirements in respect of taxi and taxi driver licensing with a view to simplifying and reducing the burden on licensees. This consultation document reflects the current taxi licensing regime but the PCO would in time apply any rationalisation of the regulations to both motor hackney carriages (MHCs) and pedicabs.







2.0 Background

- 2.1 Pedicabs (sometimes referred to as cycle rickshaws) are pedal-powered cycles (typically with three or four wheels) used for the purpose of carrying fare-paying passengers. They are a relatively new feature of the London street scene having been in evidence for about 7 years. It is thought that there are around 300 pedicabs in London working predominantly in the West End around the theatres and Covent Garden, although some are found in other parts of the capital.
- 2.2 As a result of a court judgment in 2003¹ pedicabs have been regarded as stage carriages and consequently excluded from the definition of hackney carriages (taxis). This has meant that they are not subject to any of the licensing legislation that applies to other forms of public transport used for hire and reward.
- 2.3 The London Local Authorities and Transport for London Bill (2005) proposed a form of registration and other regulations for pedicabs in London. This part of the Bill was unsuccessful and the proposals within this consultation are intended to address the areas of concern.
- 2.4 Concern has been expressed about:
- the safety of pedicabs and their riders, and,
 - the inability of Transport for London (TfL) and local authorities to take effective enforcement action against those pedicab riders who contravene traffic and parking regulations.
- 2.5 The PCO aims to achieve better regulation and traffic management through a fair licensing system which enables effective enforcement. This will give structure to a form of public transport which is not at present regulated.
- 2.6 Acting on recent legal advice, TfL is now of the view that the legal judgment of 2003 was based on incomplete evidence in that account was not taken of the Transport Act 1985 (paragraph 16, Schedule 1) which effectively abolished the term 'stage carriage'. TfL is advised that pedicabs should be regarded as hackney carriages and should be subject to the legal provisions relevant to those vehicles, including a requirement for them to be licensed. A declaratory judgment is being sought from the High Court to clarify this matter.
- 2.7 As pedicabs are not motor vehicles (although some have a degree of mechanical assistance) they are not seen as falling within the definition of a private hire vehicle (mini cab). As they do not run on a prescribed route, have regular stopping places or run to a timetable, they are not regarded as public service vehicles (buses).
- 2.8 The pedicabs that are the subject of this consultation document are those which are made available with a rider for the purpose of carrying passengers for payment. Pedicabs used for the carriage of goods, or which do not otherwise carry passengers for payment, are not believed to fall within the definition of a hackney carriage, are not currently being considered for licensing and are not the subject of this consultation.

¹ Oddy v Bugbugs Ltd [2003] EWHC 2865.

3.0 Making a submission

- 3.1 This consultation document addresses how it is proposed by TfL that pedicabs would have hackney carriage legislation applied to them in the event that a judicial decision confirmed that this was appropriate.
- 3.2 The proposals cover the licensing of both pedicab riders and vehicles.
- 3.3 The document is being sent initially to the organisations and individuals listed at Annex A. Comments from other interested organisations or individuals are also welcome. The PCO will welcome suggestions as to other organisations that should see it.
- 3.4 Consultation responses must be sent in writing by Wednesday 27 September 2006 for the attention of Richard Hodges at the PCO. They can be sent by post, fax or e-mail to:
- Pedicab Consultation,
Public Carriage Office,
15 Penton Street,
London, N1 9PU
Fax number: 020 7126 1933
E-mail: pedicabs@pco.org.uk**
- If you are responding by post, please submit two copies of your response.
- If you are responding as a representative organisation, please include in your response some background information about your organisation and the people that you represent.
- 3.5 Consultees are asked to make clear which part of the consultation document their comments refer to by reference to the paragraph numbers used in this document.
- 3.6 The PCO will give full consideration to all responses to this consultation. The decision on whether to proceed with the licensing of pedicabs will be informed by these responses, along with a range of other factors. A summary of the comments received will be published on the TfL website at the end of the consultation period.
- 3.7 The Freedom of Information Act 2000 requires public authorities to disclose information they hold if it is requested. This includes information contained in responses to public consultations. If you ask for your response to be kept confidential this will only be possible if it is consistent with TfL's obligations under the Freedom of Information Act.
- 3.8 Enquiries about the contents of this consultation document may be made to Richard Hodges, Pedicab Project Officer, on telephone 020 7126 1966.
- 3.9 Further copies of this consultation document can be obtained via the Transport for London website: www.tfl.gov.uk/pedicabs or by email: pedicabs@pco.org.uk or **telephone to 020 7126 1966** or **fax 020 7126 1933**.
- What happens next?**
- 3.10 The responses to this consultation will be considered by Transport for London (TfL), who will make an announcement about the implementation of any changes. TfL would plan to make such decisions within a period of three months from the end of the public consultation exercise. It is then proposed to initiate a second, brief, consultation on the specific changes proposed to the London Cab Order 1934 to accommodate pedicab licensing.



4.0 Overview of the proposals

- 4.1 Hackney carriages, normally referred to as taxis (and sometimes as “black cabs”) and their drivers are regulated by the PCO on behalf of Transport for London. The principal regulations are contained in the London Cab Order 1934 made under the Metropolitan Public Carriage Act 1869. Applying the same regulations to pedicabs would require both vehicles and riders to be licensed.
- 4.2 In summary, licensing assesses the ‘fitness’ of both vehicles and riders on the following aspects:
- Vehicles:
- suitability for the role; and,
 - condition of the vehicle.
- Riders:
- age;
 - character;
 - medical fitness;
 - topographical skills (an appropriate Knowledge of London assessment); and,
 - driving / riding ability.
- This consultation document also addresses:
- the means of identifying licensed vehicles and riders;
 - requirements relating to those who own licensed vehicles;
 - ranks; and,
 - fares.
- 4.3 In the event that pedicabs are found by the High Court to be hackney carriages, no pedicab would be permitted to carry passengers for hire and reward unless licensed and ridden by a licensed pedicab rider. Licensed pedicabs would be permitted to ply for hire on the street and at designated ranks. Fares could be regulated by TfL. This will place requirements upon the rider, the vehicle and the owner of the vehicle. Each of these aspects is considered in the paragraphs that follow.
- 4.4 These proposals will require changes to the London Cab Order 1934 which will be considered following this consultation exercise.
- 4.5 Throughout this document distinction is drawn between motor hackney carriages (MHCs) and pedal-powered hackney carriages (pedicabs). Both would, subject to the declaratory judgment referred to in paragraph 2.6, constitute taxis and be subject to the regulations (amended as necessary) relating to taxis.

5.0 Rider licensing

- 5.1 Rider requirements would be met by a rider licensing scheme operated by the PCO. The proposed requirements are presented in detail in Annex D, whilst the principal issues arising are discussed in this section.
- 5.2 The purpose of these requirements is to ensure that any licence issued fulfils the requirements already in place for taxi driver licensing. Some requirements have been modified to ensure that they are appropriate to the pedicab industry.
- 5.3 A pedicab rider licence will be required in order to ply for hire with a pedicab. Those wishing to become pedicab riders will be required to apply for a licence and meet the required conditions. Applicants will be required to demonstrate that they are eligible to work in the UK.
- 5.4 The licence will be valid for a period of three years.²

Competence

- 5.5 Evidence will be required that a rider is competent to handle a pedicab. This could be achieved by a requirement that the applicant has achieved CTC (National Standard for Cycle Training) Level 3 and has demonstrated this competence on a pedicab. This independent qualification is the nearest equivalent to a motor vehicle driving licence, and demonstrates that a pedicab rider has completed a competence-based qualification that is relevant to the type of vehicle being ridden.

The PCO has the following options:

- require the CTC (National Standard for Cycle Training) Level 3 and demonstration of this competence on a pedicab;
- require a more demanding achievement, such as a full DVLA motor cycle licence, or
- do nothing and assume that pedicab riders understand road traffic regulations and are capable of riding safely in central London traffic.

The PCO is minded to adopt the first option.

Views are invited on the level of cycling competence necessary.

Age

- 5.6 The present requirement for taxis is that a driver must be at least 21 years old. This is considered to be an age at which a driver has experience and is capable of the responsibility of moving passengers in London traffic. Comments are invited on whether a similar age should be required for pedicab riders.

Character

- 5.7 The PCO intends to require evidence of an applicant's character, including information on convictions, cautions and any outstanding charges. This requirement is equivalent to that for other driver licences issued by the PCO, ie taxi and private hire drivers. A conviction will not automatically disqualify an applicant from holding a licence. Consideration will be given to the type of offence(s), if any, and the date(s) when they occurred.

² The length of licence is set by section 8(7) of the Metropolitan Public Carriage Act 1869.

The PCO has the following options:

- do nothing and expect that pedicab riders are all of good repute;
- require a Criminal Records Bureau (CRB) check with a standard disclosure; or,
- use the existing established method for taxi and private hire drivers of a Criminal Records Bureau (CRB) check with an enhanced disclosure, recognising that a pedicab rider may have contact with vulnerable people.

The PCO is minded to require the third option with enhanced disclosure, as past offences have demonstrated that, even if there is reduced information available for some riders (such as overseas applicants), a reduced level of security checks will increase risk. This will require overseas criminal history checks if the applicant has lived in a country other than the UK for one or more continuous periods of 3 months during the last 3 years. TfL will require a Certificate of Good Conduct from their embassy, which must be an extract from the judicial record or equivalent document issued by a competent judicial or administrative authority for the relevant country. This will be required in addition to the CRB check.

At present, it takes between four and six weeks to receive the results of a CRB check. The PCO cannot influence this timescale. A pedicab rider licence will only be issued on receipt of a satisfactory CRB report.





5.0 Rider licensing (continued)

Topographical Knowledge

- 5.8 The PCO is considering whether a topographical knowledge test appropriate to pedicabs and their operating area would be beneficial. This would be to the benefit of passengers as a rider with knowledge would take a more efficient route which may affect the fare charged. A rider without detailed knowledge may take a journey which is longer in both distance and time.

The PCO has the following options:

- to monitor the operation of pedicabs and consider the need for a knowledge requirement at a later date;
- to make a commitment to introduce a knowledge based competency test within the first rider licensing period. This accepts that existing pedicab riders have a basic knowledge of central London but that this needs to be demonstrated by new applicants; or,
- in the light of the proposed limited area of licensing (section 6), and the transient nature of pedicab riders, to require no specific topographical testing.

The PCO is minded to adopt the third option.

Medical Fitness

- 5.9 The PCO is also considering the need for a medical fitness standard for pedicab riders. The standards which are applied to taxi and PHV drivers take into account the vehicle that they are controlling. The pedicab is

very different in weight, speed and in its ability to continue moving if the rider is incapacitated: the design and low speed of a pedicab should contribute to a relatively quick stop with little or no damage.

The PCO has identified the following options:

- accept that a pedicab rider, if capable of operating the vehicle, is acceptably fit and will not require a medical examination;
- require a declaration from the applicant that they are not suffering from a medical condition that could affect the safe control of the vehicle;
- require confirmation from his General Practitioner that there is no medical condition likely to impair his ability to perform defined duties as a pedicab rider; or,
- require a medical examination comparable to that required for taxi and PHV drivers taking into account the differences of the pedicab vehicle.

Comment is invited on what medical standards would be appropriate.

Disciplinary Procedures

- 5.10 Existing disciplinary procedures for London taxi drivers would apply to pedicab riders, including provision for suspension or revocation of the licence in the event of a misdemeanour, and for appeals in the event of refusal, suspension or revocation of a licence.³

³ Disciplinary procedures set by article 19 of the London Cab Order 1934.

6.0 Area of operation

6.1 The PCO is minded to license pedicab riders for a specified area of operation only. This would be comparable to suburban taxi drivers, who can pick up passengers only in their specified area as they only have the knowledge qualification for that area, though they can take the passengers elsewhere. In addition, whilst MHC drivers cannot refuse fares and must undertake any requested journeys of less than 12 miles, it would be unrealistic to expect pedicabs to go beyond significantly smaller limits due to the physical demands on the rider. There must be an assurance that the passenger(s) will be safely delivered to their destination with no risk that they might effectively be ejected from the pedicab because the driver is tired or unable to continue. For visitors to London and vulnerable people, this could result in them being stranded in an unfamiliar or unsafe location with no alternative safe form of transport to continue their journey.

6.2 At present, there is no control of the areas in which pedicabs operate, but in practice they tend to work within a half-mile radius of Leicester Square Underground Station, including Piccadilly Circus, Covent Garden, Soho, Shaftesbury Avenue and Charing Cross. There are also individual trips to specific destinations such as Euston and Waterloo stations, Oxford Street, the Royal Festival Hall and the British Museum. These current 'boundaries' are self-imposed or defined by the availability and requirements of customers.

6.3 In defining the area(s) of operation there are a number of options, including:

- no limit at all;

- the area known as the Central London congestion charging zone (as at 31 March 2006). This would be easier to identify than a radius. This is the area identified in Annex I; or,
- a simple radius around Charing Cross. The boundary could be defined by named roads. A half-mile radius would include such places as Somerset House, Covent Garden, Horse Guards Parade but not Soho Square or the lower end of Tottenham Court Road. A three-quarter-mile or one-mile radius would include other destinations such as Waterloo Station, Oxford Circus and the British Museum.

The PCO is minded to adopt a half-mile radius around Charing Cross with the boundary identified by named roads.

6.4 Comments are invited on the proposals to limit the area of operation of pedicabs.

6.5 The PCO would also consider licensing riders for other sectors, the limits of which would be detailed in consultation with the local authority concerned. The PCO would consider and welcome comments on these and other possibilities. There will be a requirement to ensure that any area chosen is appropriate to the physical limitations of the pedicab rider.

Pedicabs could be licensed to operate:

- within a named London borough outside the identified central zone;
- within a specified area within a London Borough;
- within an existing hackney carriage suburban sector;

- along a specified route or corridor; or,
- within a specified radius (eg half a mile) of a specified town centre or tourist attraction.

The PCO is minded to adopt the last of these options.

Comments are invited on the proposals to introduce additional areas of licensing.



7.0 Vehicle licensing

7.1 Vehicle requirements will be met by a licensing scheme operated by or on behalf of the PCO. The proposed requirements are presented in detail in Annexes C and E, whilst the principal issues arising are discussed in this section.

Pedicab owners, operators and proprietors

7.2 'Operator' or 'proprietor' are other terms used in the relevant legislation to describe the owner of the pedicab.

7.3 The proprietor of a pedicab will be required to apply for a licence for the vehicle, and will be required to ensure that all his/her licensed pedicabs meet the licensing requirements at all times.

7.4 The proprietor will also be required to insure and maintain the vehicle.

7.5 If the vehicle is used by riders other than themselves, proprietors will be required to record the details of those riders together with the relevant dates and times that the vehicles are used.

7.6 Proprietors will also be required to complete a Criminal Records Bureau (CRB) enhanced check as they will control the use of pedicabs and so should meet the same standards of character. This requirement is consistent with that for MHC proprietors.

7.7 The proprietor may have responsibility for offences relating to that pedicab and will be required to provide the PCO and/or the relevant authorities with details of the rider when requested. This requirement is also consistent with that for MHC proprietors.

7.8 It would be the responsibility of the owner to have the vehicle licensed whether or not that person was the rider.

7.9 The licensing period for a vehicle will be one year.⁴ A licence and identifying plate will be issued: both items would remain the property of TfL and would have to be returned when expired. The plate or other identifier will have a unique number and be affixed to the rear of the vehicle.

7.10 The details required in an application for a pedicab licence are given in Annex F.

Suitability of the vehicle for the role

7.11 Taxis are required to comply with Conditions of Fitness⁵ which specify certain technical requirements to ensure that the cab is fit for purpose. Pedicabs will similarly be required to meet a minimum standard and be maintained to that standard throughout the licensing period. The PCO is aware that accidents, that could have been prevented by design, have occurred in the past involving pedicabs and, in licensing them, the PCO will wish to be assured that they are as structurally and mechanically safe as such vehicles can be.

7.12 Pedicabs will, therefore, be required to comply with Conditions of Fitness specific to them. The proposed Pedicab Conditions of Fitness are detailed in Annex C and consultees are invited to comment on them. The PCO will particularly welcome responses from pedicab manufacturers.

⁴ The length of licence is set by section 6(4) of the Metropolitan Public Carriage Act 1869.

⁵ Cabs presented for licensing are required to meet the conditions of fitness as set by article 7(3)(a) of the London Cab Order 1934.

7.13 The pedicab should be of a design which has the rider in the front or forward position and the passengers seated to the rear. Pedicabs that have the passengers in the forward position are considered to restrict rider visibility, especially when a canopy is raised, and to place passengers in a more vulnerable position.

7.14 The proposed overall dimensions for pedicabs are based on vehicles currently in use in London. It is necessary to specify maximum dimensions for traffic control, and to help specify the requirements and potential sites for pedicab ranks and the number of pedicabs that can wait at those ranks. The PCO will welcome comments on the proposed dimensions of pedicabs.

7.15 The PCO is minded to license pedicabs for a maximum of 2 passengers.⁶

7.16 As with other taxis, pedicabs will not be permitted to carry any signs or advertisements which have not been approved by the Licensing Authority.⁷

Condition of the vehicle

7.17 The PCO is considering the most appropriate method of carrying out vehicle inspections, and will welcome comments and proposals in response to this consultation. The content of the inspection would be similar in each of the proposals.

⁶ Note that pedicab fares will be for the vehicle, not per passenger (Paragraph 9.5).

⁷ Requirements for advertisements is set by article 14(l) of the London Cab Order 1934.





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7.0 Vehicle licensing (continued)

- 7.18 Inspections could be carried out either:
- by examiners at TfL premises, or at the premises of TfL's service provider; or,
 - by examiners at the proprietor's premises.

The PCO will identify the preferred procedure after considering responses to this consultation.

- 7.19 The PCO has the following options for ensuring the condition of vehicles.
- One licensing inspection for each pedicab each year with random, on-street compliance inspections. This is comparable to the present taxi regime, and is expected to deliver good regulatory control at a total estimated cost of £28,500 per annum, (£95 per vehicle) excluding the licence plate.
 - Two licensing inspections a year with a reduced level of compliance inspections. This option is expected to increase costs to approximately £42,000 per annum (£140 per vehicle) excluding licence plates.
 - One licensing inspection each year with reduced random, on-street, compliance inspections. This would reduce costs to the pedicab industry but would also reduce the effectiveness of regulation. The estimated cost of this option would be £22,500 per annum (£75 per vehicle) excluding licence plates.

The PCO is minded to adopt the first option.

- 7.20 Ongoing routine compliance enforcement is expected to be based on a random sample of a minimum of 30% of pedicabs each year. Analysis of the results of this sample will help target owners or proprietors for more detailed inspections where necessary.

Identification and licence plate location

- 7.21 Effective arrangements must be in place to identify vehicles in use as pedicabs. It is expected that this will be achieved by licence plates or other identifier attached to the rear of the vehicle and in the passenger compartment.
- 7.22 As pedicabs have no form of registration plate it is necessary for the rear licence plate to be placed centrally on the pedicab so that it is clearly visible to other road users and enforcement cameras, and readable from a reasonable distance. The style of the plate will be different to that of MHCs.
- 7.23 There should also be a small licence number plate fixed in a position within the passenger area so that passengers can identify the pedicab from their seat. In addition, there will be a requirement to display insurance details and a fare chart. Difficulty may be anticipated in adequately protecting these notices from the weather: responses will be welcome on these requirements and on the best method of meeting them.

Costs

- 7.24 The cost of a one year licence for a pedicab is not yet finalised. An indication of costs is given in section 10 but this is expected to be comparable to other licences issued by the PCO, at present around £100.00 per annum.

8.0 Pedicab ranks

- 8.1 As pedicabs are to be licensed, there will be a need to appoint ranks, so that there are dedicated places where they can ply for hire whilst stationary.
- 8.2 Ranks will be established using the present PCO procedures to accommodate pedicabs waiting for hire. It is expected that these will be specifically for pedicabs, in order to assist passengers in identifying the type of vehicle they wish to hire, and to help reduce the congestion and obstruction that is at present associated with pedicabs.
- 8.3 In the City of London, ranks are designated by the City Police. The PCO will initiate appropriate discussions with the City Police.
- 8.4 As pedicabs work predominantly in the evening and at night, there is the opportunity to operate ranks at certain times only. This will help to reduce the effects of those ranks on traffic flow at other times of the day.
- 8.5 As is customary with taxi ranks, the ranks for pedicabs will be appointed only after the PCO has consulted with the relevant local/highway authority.
- 8.6 A condition may be placed on the licence of pedicab riders to prevent them from parking on existing taxi ranks that were designated with motorised hackney carriages in mind.
- 8.7 Comments are invited on whether motorised hackney carriages and pedicabs should share the same ranks or whether each should have their own separate ranks.
- 8.8 The PCO is minded to designate existing ranks for MHCs only, and to designate new ranks specifically for either pedicabs or MHCs.







9.0 Fares

- 9.1 Taxi fares in London are regulated by the PCO. Pedicab fares are not regulated at present: the fare is agreed by the rider and passenger(s) in advance. Separate fares are charged for each passenger – the pedicab is not hired as a whole. This method of charging arises from the previous interpretation of the law suggesting that if pedicabs charged in this way they could be defined as stage carriages and thereby be excluded from the hackney carriage definition. If pedicabs can no longer be classed as stage carriages and are to become licensed then this method of payment is no longer relevant.
- 9.2 There is a range of opinions on the present level of pedicab fares. Some consider them reasonable as the pedicab is a novel and fun form of travel. Others consider them excessive in comparison with taxi fares for the same journey.
- 9.3 Comments are invited on the introduction of regulated fares for pedicabs. The system adopted would need to take account of simplicity, accuracy and variations in vehicles and environment. For taxis, the London Cab Order 1934 requires fares to be displayed in order to inform passengers in advance of the cost of their journey.
- 9.4 It would be difficult to introduce metered fares based on distance due to the cost and technical difficulties in fitting meters to pedicabs.⁸ The available options are that the PCO sets fares using one of the following methods.
- Set specific fares for the most popular
- journeys, with a published fare chart displayed on the pedicab. This would be straightforward in principle but many journeys will not match the examples specified.
- Specify a simple time-based fare structure. Both rider and passenger(s) would be able to identify the time from start to end of hire. The fare can then be read from a simple fare chart;
 - Set zonal fares based on the number of zones the journey passes through;
 - Set fixed fares regardless of time or distance, and taking account of the restricted area of operation; or,
 - Do nothing, and leave riders and passengers to negotiate fares, as self-regulation will limit or expand the number of customers relevant to the fares charged.
- 9.5 Comments are invited on the method of charging which should be adopted.
- 9.6 The PCO is minded to set a standard fare for all journeys which would be per vehicle, not per passenger.

⁸ Introduction of meters to pedicabs would be problematic as:

- tyre sizes are not constant, and so measurement of mileage would be unreliable;
- there is no digital pulse available to trigger a meter;
- any electronics on the pedicab would be exposed to the elements;
- it would be difficult to mount the meter in a position visible to both rider and passengers;
- the additional cost involved, and
- the lack of a suitable product on the market, and the time needed to develop a suitable product for such a small market.

10. Cost of licensing

- 10.1 The following paragraphs consider the costs of introducing the proposed pedicab licensing scheme in London.
- 10.2 Adequate insurance to cover third-party liabilities⁹ will be a requirement of pedicab licensing but, as it is understood that most pedicab proprietors already have such insurance, its cost has not been included in this assessment.
- 10.3 TfL has a statutory responsibility to recover all licensing costs through the licence fees. The proposed cost of an annual vehicle licence is £100, including the cost of the application, examination for compliance, grant of licence and production of the vehicle identification plate.
- 10.4 The cost of a 3-year rider licence is expected to be £185 including the cost of the CRB check (if required). The applicant would also incur a charge for the external medical examination which is expected to be £60, should this be required.
- 10.5 The table below gives an estimate of annual licensing costs for individual vehicles and riders, with an estimated total cost to the industry assuming 300 vehicles and riders.¹⁰
- 10.6 This is a total annual cost, excluding any medical cost, to the industry of £48,500, equivalent to £161.67 per vehicle and rider. This gives a weekly cost over 52 weeks of £3.11 (£1.92 to the proprietor and £1.19 to the rider), though pedicab operations tend to be focused in the tourist season. These costs do not include insurance and maintenance.

	Vehicle approval and inspection fee	Compliance cost	Plate production cost	Rider licensing	CRB check	Medical examination
Cost per vehicle/rider	£65	£30	£5	£149	£36	£60 approx
Industry	£19,500	£9,000	£1,500	£44,700	£10,800	£18,000
Period of licence	1 year	1 year	1 year	3 year	3 year	3 year
Total industry cost per annum	£19,500	£9,000	£1,500	£14,900	£3,600	£6,000
Licence cost	£100 per year			£185 for 3 years		

⁹ Article 8 of the London Cab Order 1934 requires insurance “complying with Part II of the Road Traffic Act 1930 as amended by any subsequent Act”. These provisions have been superseded on several occasions and are now replaced by Part VI of the Road Traffic Act 1988. Due to the wording of the Cab Order these provisions apply to all taxis irrespective of whether they are motorised or not.

¹⁰ In practice it is likely that there will be more riders than vehicles, but these figures are given for illustrative purposes only.

10.7 The total cost to the industry, £48,500, represents costs incurred by the PCO in respect of:

- administration and conduct of vehicle inspections;
- administration and issue of pedicab licence and plate;
- administration and assessment of rider applications;
- rider CRB check;
- appeals process; and,
- rider and vehicle compliance activity.



11. Conclusions

- 11.1 This document has set out proposals for a pedicab licensing system for London. It is a consultation document and responses are invited from interested parties as set out in section 3.
- 11.2 It is considered that licensing will benefit the pedicab industry and pedicab users in London. The Regulatory Impact Assessment (Appendix G) identifies the benefits that would be expected to accrue to all stakeholders.
- 11.3 The responses to this consultation will help to develop a system that achieves maximum benefits to all parties.





Annex A Consultation list

Alexander Anteliz (Pedicab Operator)
All London Local Authorities
All London Magistrates Courts
Association of British Insurers
Association of London Government
Association of Magisterial Officers
Bio Bikes
Bugbugs (Pedicab Operator)
Cab Chat
Cab Driver
Cab Trade News
Call Sign
Chauffeur & Executive Association
(sub group of LPHCA)
Children and Adults (MENCAP)
City of London Ltd
City of London Police (Commissioner)
Confederation of Passenger Transport UK
Consumers Association
CTC Greg Woodford
Deafblind UK
DfT
Disability Rights Commission
Disabled Persons Transport Advisory Committee
(DPTAC)
Driver Guides Association
Equal Opportunities Commission
Federation of Private Hire Vehicles
Film Unit Drivers Guild
GLA Assembly Members
GMB Professional Drivers Branch
GMB Union
Greater London Action on Disability
Greater London Magistrates Court Association
Greg Woodford, Cycle Training Officer
Gregory Dabrowla (Pedicab Operator)
Helen Mcilwaine
- Local Government Northern Ireland
Help The Aged
Home Office PSTU
House of Commons Transport Select Committee
Joint Committee on Mobility for Blind and
Partially Sighted People
Joint Committee on Mobility for Disabled People
(JCMD)
Kristof Draskoczy (Pedicab Operator)
Lambeth Minicab Forum
Licensed Private Hire Car Association (LPHCA)
Licensed Taxi Drivers' Association
London Accessible Transport Alliance
London Cab Drivers' Club Ltd
London Development Agency
London Fire Service
London Members of Parliament
London Mobility Unit
London Motor Cabs Proprietors' Association
London Pedicabs (Pedicab Operator)
London Private Hire Board
London Rickshaws (Pedicab Operator)
London Suburban Drivers Coalition (LSDC)
London Taxi Times
London Tourist Board

London TravelWatch (formerly LTUC)	Taxi
Magistrates Association	Taxi Globe/NTG Magazine
Metropolitan Police	Taxi News
- Commissioner	Taxi Talk
- Project Sapphire	Taxi Today
- TOCU	TaxiCab News
- Clubs and Vice	TGWU
National Private Hire Association	The Badge
National Union of Students	Tower Hamlets Customers Services
Nippy Bikes (Pedicab Operator)	Tower Hamlets Race Equality
Owner Drivers' Society	Transport & General Workers Union
Pedal Media Ltd (Pedicab Operator)	Transport for London Board Members
Private Hire & Courier	Transport for London
Private Hire Car Association (PHCA)	- TPED
Private Hire News	- TECO
Promobikes Ltd (Pedicab Operator)	- Congestion Charging Unit
Ray Miller - Local Government Cambridge	- Cycling Centre of Excellence
Regulatory Impact Unit	- Equality and Inclusion
Robin Marshal (Pedicab Operator)	- London Underground
Rolling Gallery (Pedicab Operator)	- Bus Priority Team
Royal Association for Disability and Rehabilitation	Visit London (formerly London Tourist Board)
Royal National Institute for the Deaf	Westminster Society
Royal Parks Police	Yellow Pedicabs Ltd (Pedicab Operator)
Royal Society for Mentally Handicapped	Zero Emissions Real Options Ltd
SCOPE	(Pedicab Operator)
Simon Noall (Pedicab Operator)	
Small Business Service	
Society of London Theatre	
Society of Professional Licensed Taxi Drivers	
Suzy Lamplugh Trust	

Annex B TfL consultation policy statement

Consultation helps TfL to make better-informed decisions and makes us accountable to the public. It is important to each of the individual businesses. All staff have a role to play.

Framework

We will comply with our legal obligations to consult, including duties to consult on best value reviews, private hire licensing, applications for Transport & Works Act orders, changes to local bus services, granting of London service permits and traffic orders.

We will go beyond our legal obligations where the following three tests are met:

- it will help us to make better-informed decisions and become more accountable to the public;
- it is practical and affordable; and,
- we have learnt what we can learn from research, complaints and suggestions.

In doing so, we will consider two options:

- carrying out consultations not required by law. This may involve going beyond the minimum requirements set out in relevant legislation by consulting more widely or at additional stages. Or it may mean consulting on projects where we have no obligation to consult at all; and,
- meeting the public. For example, we will attend regular liaison meetings with London boroughs, local forums, residents' associations and user groups. We will maintain a continuous dialogue with the London Transport Users Committee. And we will arrange open public meetings, surgeries and discussions with schools.

Public consultations

Consultations - statutory or otherwise - provide us with opportunities to advocate what we believe to be right and to listen to responses from the public. We will adhere to the following principles.

Principle 1: Focused and timely

We should only consult if we have a clear purpose and an open mind.

- we will set specific objectives for each consultation exercise, considering alternative approaches such as market research.
- we will seek public input into the design of options as well as consulting on specific proposals.

Principle 2: Accessible and targeted

People directly affected by a proposal should have a right to know about it and an opportunity to have their say. If we fail to target our audience and develop appropriate communication materials and techniques we risk swamping familiar stakeholders, while leaving the 'silent majority' and socially excluded groups without a voice.

- we will identify our target audiences and appropriate communication channels when setting consultation objectives;
- we will seek to explain why the issue is important;
- we will use appropriate and accessible language and formats; and,
- we will give consultees the name of someone they can talk to.

Principle 3: Informative and accountable

If we tell the public everything they need to know, they are more likely to feel we are accountable to them and their responses should be more helpful.

- we will provide full explanations of options and proposals in plain language;
- we will set out clearly the previous stages in the process and what decisions have already been taken; and,
- we will provide feedback on the consultation, explaining what we have decided and why, and saying what happens next.

Principle 4: Timed appropriately

A common criticism of public service consultations is that we do not give stakeholder groups enough time to co-ordinate the views of their members before they respond. The public are generally happy with shorter timescales. Except in circumstances beyond our control:

- we will give consultees a minimum of two months to respond to major consultations; and,
- on more minor local ones we will give stakeholder groups a minimum of five weeks to respond, and individual members of the public at least three weeks.

Principle 5: Honest and fair

The public will be justly critical of us if we appear to favour particular options and interests without good reason or to be withholding key information in any consultation process. At worst we may lay ourselves open to costly legal action.

- we will ensure that what we say in our proposals and feedback is accurate and balanced, while explaining it where appropriate in the context of the Mayor's Transport Strategy; and,
- we will test any changes we have introduced, involving the public wherever possible, and, if we feel we have got things wrong, admit and rectify our mistakes.

Consultation toolkit

The toolkit offers guidance on how to put these principles into practice, how to use complaints, suggestions and research, how to consult the public, how to provide them with feedback, and who you can go to for help.

Training

Relevant managers and staff will be offered training in consultation and given an opportunity to comment on the toolkit.

Evaluation

Performance against this policy will be evaluated.

Annex C Proposed conditions of fitness for pedicabs

Recognising that pedicabs are expected to be regarded as taxis, these draft Conditions of Fitness for Pedicabs are based on the existing Conditions of Fitness for motor hackney carriages (MHCs) in London with appropriate modifications. The final document may be published as an Annex to the Conditions of Fitness for MHCs.

Transport for London Public Carriage Office Conditions of Fitness for Pedicabs

Part 1 Procedure to be followed by manufacturers and owners of pedicabs for use in London.

1. New types of pedicab
2. Presentation for vehicle licence
3. General

Part 2 Conditions of Fitness

4. General construction
5. Wheel configuration
6. Additional fittings
7. Lighting
8. Steering
9. Tyres
10. Wheel and tyre protection
11. Brakes
12. Electrical equipment
13. Body
14. Canopy or roof
15. Passenger seating
16. Rider's area and controls.
17. Fare table, certificate of insurance and small identification plate
18. Floor covering
19. Audible warning device
20. Maintenance

Part 3 Directions

21. Advertisements
22. Badges/Emblems
23. Additional advisory requirements not forming part of inspection

Notes

- a) In these Conditions the "Licensing Authority" means Transport for London which will exercise the duties imposed by the London Cab Order 1934 as amended by the Greater London Authority Act 1999.
- b) The term "approved" in the Conditions of Fitness refers to approval by the PCO Head of Vehicle Inspections and Standards.
- c) Transport for London's Conditions of Fitness in Part 2 and Directions in Part 3 are laid down or made in accordance with the terms of paragraphs 7 and 14 respectively of the London Cab Order 1934, as amended.
- d) The Conditions of Fitness in Part 2 operate from the commencement of pedicab licensing. Vehicles that meet these conditions remain subject to the conditions while the vehicle is licensed unless specific amendments to the Conditions of Fitness for Pedicabs identify retrospective requirements.
- e) The Directions in Part 3 apply to all licensed vehicles.

Construction and licensing of pedicabs in London

In accordance with the provisions of paragraph 7 of the London Cab Order, 1934, in pursuance of the Metropolitan Public Carriage Act 1869, no vehicle shall be licensed as a cab unless it is fit for public service and conforms to the requirements in this booklet. Where legislation identified within these Conditions of Fitness is amended then those amendments are automatically incorporated in these Conditions.

Issued by:

The Public Carriage Office
15 Penton Street
London, N1 9PU

Part 1 Procedure to be followed by manufacturers and owners of pedicabs for use in London.

1. New types of pedicab

- a) Before constructing any new type of pedicab, manufacturers are advised to study the Conditions of Fitness set out in Part 2 of this booklet. Where the design or concept of the proposed vehicle is significantly different from those set out here, the manufacturer should send to the PCO Head of Vehicle Inspections and Standards dimensioned drawings or blueprints, together with detailed specifications of the proposed cycle, for advice as to its general suitability for public service in London. It is also advisable to arrange for a preliminary inspection. The address is:

Public Carriage Office
15 Penton Street
London N1 9PU

- b) In any case, application for the approval

in advance of licensing of a pedicab must be made in writing to the Public Carriage Office, and must be accompanied by dimensioned drawings or blueprints, together with detailed specifications and any particulars required by the Head of Vehicle Inspections and Standards.

2. Presentation for vehicle licence

- a) Before a pedicab licence can be issued, the vehicle must be presented at such passing station or other place that Transport for London may direct and any previous licence and licence plate must be returned.
- b) A licence will be issued for a specified maximum number of passengers, based on the size of the passenger area and seating.

3. General

- a) Even where the conditions set out in this booklet have been complied with, approval will be withheld if the Licensing Authority is of the opinion that a vehicle is unsuitable for public use.
- b) Although the Licensing Authority may extend its approval of any particular type of pedicab to all other pedicabs conforming to the design of that type, he may withdraw such general approval if, in his opinion, any unsuitable features arise.
- c) It is accepted that the nature of pedicabs, and in particular the differences between them and standard bicycles, may make it impractical to comply with all of the requirements of the standards and regulations referred to below. Allowances will therefore be made for situations identified below where it is not practical to comply.

Annex C Proposed conditions of fitness for pedicabs (continued)

Part 2 Conditions of fitness

N.B. The following requirements apply to all vehicles licensed in London, including those that have been modified after first licensing.

4. General construction

Every new and existing type of pedicab must comply where practicable with the requirements of:

- a) BS EN 14766 2005 or equivalent;
- b) The Pedal Cycle (Construction and Use) Regulations 1983; and,
- c) The Pedal Bicycle (Safety) Regulations 2003 will apply to pedicabs regardless of seat height and classification as a bicycle.

5. Wheel configuration

Pedicabs will be so constructed that they will have a minimum of three wheels, at least two at the rear and one at the front. This will apply to all pedicabs unless the Head of Vehicle Inspections and Standards grants specific exemption.

6. Additional fittings

No fittings, other than those approved, may be attached to or carried on the inside or outside of the vehicle.

7. Lighting

Pedicabs must comply with the Road Vehicles Lighting Regulations 1989 and must be fitted with:

- a) a minimum of one obligatory front position lamp, (as identified in schedule 2 of the lighting regulations). Two front position lamps will be required if the pedicab has four or more wheels.

- b) a minimum of two obligatory rear position lamps, (as identified in schedule 10 of the lighting regulations).
- c) a minimum of two obligatory rear retro reflectors, (as identified in schedule 18 of the above regulations).
- d) a minimum of two additional stop lamps, (as identified in schedule 12 of the lighting regulations). Illumination of the stop lamps may be switched by the operation of either or both braking systems, a decelerometer switch or another automatic means; and,
- e) directional indicators (identified as 'optional direction indicators' in schedule 7 of the lighting regulations) must be fitted. The visibility requirements of schedule 7 part 3 must be met.

Note: the above requirements may exceed the minimum requirements for pedal cycles.

8. Steering

The driving position must be the forwardmost position on the pedicab unless granted specific exemption by the Head of Vehicle Inspections and Standards. The steering when turned to full lock in either direction must not affect the stability of the vehicle when turning.

9. Tyres

All tyres must comply with the following requirements:

- a) the tread pattern should be clearly visible over the whole tread area, around the entire circumference and across the whole breadth of the tread.

- b) there should be no exposed cords; and,
- c) the load ratings of all tyres must be suitable for the pedicab when fully loaded. Where a tyre does not display a maximum load weight, then the tyre manufacturer's technical information must be presented.

10. Wheel and tyre protection

- a) All wheels (including the tyre and brake mechanism) that are in the vicinity of the passenger compartment must be covered for the protection of passengers or their clothing. It must not be possible for passengers or their clothing to touch any part that may rotate whilst riding on the vehicle.

11. Brakes

- a) Braking systems used on pedicabs must comply where practicable with the requirements of BS EN 14766 2005, the Pedal Cycle (Construction and Use) Regulations 1983 and relevant EU Directives.¹¹
- b) The braking system must be at least 50% efficient at all times, with or without passengers.

12. Electrical equipment

Any electrical installation to the pedicab, including the battery and switches must be:

- a) adequately insulated;
- b) suitably protected from contact by passengers;
- c) suitably fused;

- d) securely fitted; and
- e) permanently wired.

Any electrical equipment fitted must be maintained in good condition and fully functional. Any battery fitted must be of a type that will not leak.

13. Body

- a) The overall size of the pedicab will not exceed 1250mm in width (excluding rear view mirror) or 2650mm in length.
- b) There must be at least one mirror fitted to the offside of the vehicle in order to monitor other road users. A nearside mirror will also be permitted in order to monitor the view to the nearside.
- c) The outer edge of any entrance to the floor of the passenger compartment should not exceed 38cm above ground level when the vehicle is unladen. It should be fitted with non-slip high visibility (yellow) markings. These markings should be secure at all times and must not present a trip hazard.
- d) Holds or handles to aid passenger access or egress should be clearly identified with high visibility (yellow) markings.

¹¹ The minimum requirements for brakes is set by regulation 7 of the Pedal Cycle (Construction and Use) Regulations 1983. This section requires two independent braking systems front and rear.

Annex C Proposed conditions of fitness for pedicabs (continued)

14. Canopy or roof

- a) Any canopy or roof, when fitted, must remain fixed in position until required to be raised or lowered. This should be achieved by means of a locking mechanism to secure the canopy or roof in the raised or lowered position as required.
- b) Visibility from the passenger compartment must not be restricted by the design of the pedicab. If the canopy or roof restricts vision then it must incorporate a clear panel to the rear no smaller than 600mm wide by 200mm high. If vision is restricted to the sides then clear panels, not less than 200mm square, should be incorporated in the sides. Any canopy or curtain to the front must be predominantly clear.
- c) Where the design of the canopy or roof does not allow for windows or clear panels of this size then consideration will be given to a specific exemption by the Head of Vehicle Inspections and Standards.

15. Passenger Seating

- a) The rear seat dimensions must be adequate to accommodate one or two adult passengers, based on a width of 450mm per passenger. Passenger seating must be forward facing.
- b) Every pedicab presented for licensing must be fitted with seatbelts which are adequate to retain the passenger in the vehicle and which bear an EC or BSI mark.

16. Rider's area and controls.

- a) The rider's controls and surrounding area must be so designed that the rider has adequate room, can easily reach and quickly operate the controls and give hand signals when required.
- b) The position of the rider's seat must not be such that it restricts access or egress to the passenger compartment.

17. Fare chart, certificate of insurance and small identification plate

The fare chart (if required), certificate of insurance and interior identification plate must be displayed within the view of passengers and should remain static when the canopy or roof is raised or lowered.

18. Floor covering

The flooring of the passenger compartment must be of a non-slip material which can be easily cleaned.

19. Audible warning device

Pedicabs will be required to have a warning bell fitted complying with the requirements of the Consumer Protection, Pedal Bicycles (Safety) Regulations 2003.

20. Maintenance

Pedicabs and all their fittings, advertisements etc. must be maintained to standards that meet these Conditions of Fitness for pedicabs throughout the validity of the licence. The vehicle must be kept clean and in good order

at all times. Pedicabs will at all times be subject to test and inspection and, should it be found that a vehicle is not properly maintained or in good working order, a notice will be served on the owner prohibiting its use until the defect has been rectified and the vehicle has been reinspected.

Part 3 Directions

21. Advertisements

- a) Suitable advertisements may be allowed on the exterior or interior of pedicabs subject to the approval of the Licensing Authority. All materials used in the manufacture of, and for the purpose of fixing, advertisements to the pedicab must be approved.
- b) Advertisements will not be approved for use unless they comply with the Consolidated Guidelines for advertising on licensed London taxis.

22. Badges/Emblems

- a) In addition to advertisements displayed in accordance with the previous paragraph, vehicles may display the official badge or emblem of organisations which provide emergency vehicle repair and/or recovery services or membership of which indicates that the rider possesses professional skills/qualifications which enhance the pedicab service provided to the public.

- b) Badges may be affixed to the front of the vehicle only and in such a manner as not to be detrimental to the operation of the vehicle, or likely to cause injury to any person, or to detract from any authorised sign which the vehicle may be required to display.
- c) No advertisement, badge or emblem, including the stick-on type is to be exhibited other than is provided for in the directions contained in these paragraphs.

23. Additional advisory features not forming part of inspection

Passenger compartment

- a) The vertical distance between the highest part of the floor in the passenger compartment and the underside of any canopy or roof (when locked in the raised position) should be not less than 1.3 metres.
- b) The materials used to form the passenger seat should be waterproof so that they will not absorb or retain water. Seats must be constructed of a suitable fire resistant material to BS 5852 part 1 1979 or equivalent.

Annex D Proposed rider licensing requirements

1. A licence will be required for a pedicab rider to ply for hire. The following details set out what will be required to obtain a licence which, if issued under the London Cab Order 1934, will be to a named individual who is the licensee.
 - details of any previous applications to the PCO, in order to reduce the possibility of multiple records for an applicant;
 - character history, including information on convictions, cautions and any outstanding charges;¹³
 - photographs for the rider's licence and the licensing records; and,
 - method of payment details. Standard information to enable the payment of an appropriate fee.
2. Driver licences issued under the London Cab Order 1934 are effective for 3 years, which will also apply to pedicab riders.
3. The purpose of these requirements is to ensure that any licence issued fulfils the requirements already in place for taxi driver and private hire driver licensing. Some requirements have been modified to ensure that they are appropriate to the pedicab industry.
4. Applicants would obtain an Application Pack from the PCO. The application form will require information on the applicant including:
 - personal details including name, address, gender, age, date and country of birth and a contact telephone number. This is required for communication between the PCO and the rider licence holder. Previous addresses may be required if the period of residence at the present address is short.
 - rider competence. Evidence will be required that the applicant has achieved a suitable standard.¹²
5. Riders are required to be at least 21 years of age.¹⁴
6. The PCO is considering whether a Knowledge of London test appropriate to pedicabs and their operating area would be beneficial.¹⁵
7. The PCO is also considering the need for a medical fitness standard for pedicab riders.¹⁶

12 Paragraph 5.5.

13 Paragraph 5.7.

14 See also paragraph 5.6.

15 Paragraph 5.8.

16 Paragraph 5.9.

Annex E Proposed vehicle licensing requirements

1. A pedicab vehicle licence will last for one year if licensed under the London Cab Order 1934. The licence and identifying plate would be issued and the plate affixed to the rear of the vehicle. The plate will have a unique number. Both items would remain the property of TfL and would be returned when expired.
2. A vehicle would be licensed by its owner, whether owner-rider or proprietor. A proprietor owns or represents a company which rents licensed vehicles to licensed riders.
3. The owner of a pedicab will complete an application pack obtained from the PCO. This will require the following information:
 - personal details, name, address and contact telephone number. All pedicab licences will be registered to an owner. If the application is on behalf of a company, the applicant will be required to state their position in the company and to confirm that they are authorised to make the application;
 - pedicab details, frame number, make, model and colour. This information is required to identify a vehicle. The frame number is equivalent to the chassis or vehicle identification number on a motor vehicle. As pedicabs do not have a registration number then the frame number will be used with the PCO licence number to individually identify the vehicle;
 - address at which pedicab will be kept. The address of the owner may differ from the address at which the pedicab is kept. The PCO may from time to time require to inspect a pedicab and will therefore need to know the location where it is kept;
 - method of payment details. Standard information to enable the payment of an appropriate fee; and,
 - there will also be a declaration that the information given is correct and true.
4. The pedicab owner will be required to maintain records of who uses each pedicab and for what periods. The owner will have responsibility for any offences relating to that pedicab and will be required to provide the PCO and the relevant authorities with details of the rider when requested.
5. The cost of a licence for a pedicab, which is expected to be for one year, is not yet finalised. An indication of costs is given in the regulatory impact assessment but is expected to be equivalent to other licenses issued by the PCO, at present around £100.00 for the year.

Annex F Presentation of a pedicab for licensing

1. Once the application for the pedicab vehicle licence has been submitted and accepted, the vehicle will be presented for inspection and, if accepted, the licence will be issued.
2. The location of the inspection will be as directed by the PCO. This may be one or more sites selected by the PCO, or may be the premises of the licensee.¹⁸
3. The inspection will consist of an examination of the vehicle against the Conditions of Fitness for Pedicabs (Annex C). It is expected to consist of the following elements:
 - confirmation that the pedicab is of a type that meets the described configuration;
 - an inspection to confirm that all the requirements of the Conditions of Fitness for Pedicabs are met;
 - an inspection to determine that the vehicle is free from defects; and,
 - confirmation that the vehicle has appropriate insurance.
4. If a pedicab fails the inspection, the reasons for the failure will be confirmed in writing and a date for re-inspection of the failed items will be given. A pedicab will be re-inspected once at no additional charge. A re-inspection must take place within 21 days: otherwise a new inspection will be required.
5. If a pedicab fails the inspection a second time then a further appointment will need to be applied for with an appropriate charge for the inspection only. This approach is consistent with other vehicles licensed by the PCO.
6. The brake test applied to pedicabs is expected to be measured by a deceleration meter. The figure of 50% performance (identified in the Conditions of Fitness for Pedicabs) is equivalent to the performance of main braking systems of other vehicles licensed by the PCO.

¹⁸ See paragraph 7.18.

Annex G Regulatory impact assessment

Overview

1. This assessment estimates the benefits and costs of licensing pedicabs using the London Cab Order 1934 and accompanying regulations. The existing Order does not specifically encompass pedicabs, their owners or riders and will therefore require amendment.
2. The purpose of these changes is:
 - to give pedicab passengers in London comparable protection to taxi and private hire passengers against offences, as far as rider and proprietor/owner regulations allow, and
 - to enable regulation of the vehicle design in order to improve the overall safety and operation of pedicabs as far as is practicable with this type of vehicle in the London environment.
3. The London Cab Order 1934 sets requirements for the licensing of taxi drivers and vehicles. It permits the granting of licences, provides for the setting of fees and makes provision for refunds in certain circumstances. The order confirms that it is the owner or proprietor who is responsible for obtaining a vehicle licence. Proposals for the licensing of pedicab riders and vehicles are presented in this consultation document, together with proposed Conditions of Fitness which a pedicab must meet before issue of a licence.
4. The alterations to the Order are expected to be introduced on one given day. There may be requirements for temporary rider licences and/or vehicle licences. There may also be a requirement for an appropriate form of topographical knowledge testing.

Benefits

5. The benefits of licensing pedicabs and their riders will accrue to:
 - the public and tourists who use pedicabs;
 - the owners and proprietors of pedicab businesses;
 - TfL (including the PCO) and other regulatory and enforcement bodies; and,
 - other road users.

These benefits fall broadly into the following categories:

- passenger and road safety;
- industry standards and public perception; and,
- enforcement.

6. The proposed licensing scheme will bring benefits which some pedicab associations have sought to achieve through a code of practice for pedicab operators and a code of conduct for pedicab riders. The licensing scheme covers the areas that these voluntary requirements address.

Annex G Regulatory impact assessment (continued)

Passenger safety

7. Licensing is expected to improve passenger safety by bringing order to a service that is at present unregulated and in particular by the following means:
- Pedicab riders will be licensed taking into account their competence, character and health to reduce any risk to passengers. This may include a check on any convictions;
 - All pedicabs will be inspected and confirmed as mechanically sound and suitable for use as a pedicab before issue of a licence;
 - Licensed pedicabs will be positively identifiable via a licence plate issued by the PCO;
 - Pedicab riders will be positively identifiable through the vehicle licence plate and by the records maintained by the operator; and,
 - Pedicabs will be subject to interim inspections within the licensing period.

Industry standards and public perception

8. Whilst some pedicab operators have regulated themselves to work to a set of standards, there are no formal requirements and it can be difficult for those who conform to these standards to compete against others who do not. The proposed licensing system will require all pedicabs to operate to the same standards. This will improve public perception of pedicabs which are seen by many to be a fun and novel form of

transport. It is expected that licensing will also:

- encourage vehicle manufactures to improve vehicle standards;
- improve the availability of insurance to pedicab operators and riders;
- improve public awareness of the limitations of pedicabs as to distance and passenger safety; and,
- clearly identify their area of operation so that the public and other service providers understand the limitation of the pedicab service.

Enforcement

9. The identification of unlicensed pedicabs will become more efficient as a result of:
- the licence plate affixed to the rear of all licensed vehicles; and,
 - the recording of proprietor and rider details on a central database.
10. These provisions will also enable any offending licensed vehicle, owner or rider to be traced through the licence plate number.

Effects on business

11. London's pedicab industry including riders, proprietors and manufacturers would all be affected by the introduction of pedicab licensing. The effect is expected to be comparable to that in similar activities such as the taxi and private hire trades.

12. Estimates of the size of the pedicab industry in London have been derived with the London Pedicab Operators Association (LPOA). It is considered that there are 250-300 pedicabs operating in London, some owned by the rider but many rented to individual riders by an operator.

Implications for pedicab owners and proprietors

13. An owner or proprietor is required to ensure that all licensed pedicabs meet the licensing requirements at all times. Owners and proprietors may also be required to complete a Criminal Records Bureau (CRB) enhanced check as they will control the use of pedicabs and so should meet the same standards of character. This is equivalent to the requirements of taxi proprietors.
14. An owner or proprietor of a pedicab will also be required to maintain a record of riders and their use of individual pedicabs by date and time. This will enable identification of the rider of a pedicab at any time, and equivalent to the requirements of taxi proprietors.

Regulatory impact on vehicle

15. The proposed Conditions of Fitness for pedicabs will help the industry develop pedicabs that are most suitable for their purpose. The comments of all sections of the pedicab industry are sought in this consultation exercise in order to ensure that all requirements are taken into account.

Cost of licensing

16. The costs of introducing the proposed pedicab licensing scheme in London are considered in section 10 above.
17. TfL has a statutory responsibility to recover the entire pedicab licensing costs through the licence fees. The cost of the annual vehicle licence is proposed to be £100.
18. The cost of a rider licence is expected to be £185 for a three year period. The applicant would in addition incur a charge for the external medical examination which is expected to be £60, should this be required.
19. This is a total annual cost to the industry of £48,500 (excluding any medical costs), equivalent to £161.67 per vehicle and rider. This gives a weekly cost over 52 weeks of £3.11, of which £1.92 arises to the proprietor and £1.19 to the rider. These costs do not include insurance and maintenance.
20. The total cost to the industry of £48,500 represents expenditure incurred by the PCO in respect of:
- administration and conduct of vehicle inspections;
 - administration and issue of pedicab licences and plates;
 - administration and assessment of rider applications;
 - rider CRB checks;
 - appeals procedure; and,
 - rider and vehicle compliance enforcement.

Annex G Regulatory impact assessment (continued)

21. It is generally accepted that licensing will benefit the pedicab industry in London. The responses to this consultation document will be used to develop the proposals to ensure that these benefits are maximised.

Risk reduction

22. The present lack of regulation and very limited controls on pedicabs in London is considered to pose unnecessary risks to users and to the public at large. Whilst most pedicabs are understood to be insured, there is no check on this.
23. The pedicab trade in London has worked to achieve a degree of self-regulation through an operators' association and by introducing voluntary standards. It is expected that licensing will:
- improve safety for passengers through rider licensing;
 - improve the standards of vehicles,
 - ensure proper identification of pedicab riders, vehicles and operators through the licensing register;
 - assist the police and traffic authorities in maintaining proper road behaviour by pedicabs; and,
 - ensure that vehicles are properly insured.
24. These changes will act to reduce risks within the pedicab industry.

Annex H Aide memoir

This document in its entirety forms the consultation document and any part of it may be referred to in a response. Comments are specifically invited on the following points from the main document, but comment need not be limited to these.

Rider licensing

- 5.5 Rider competence
- 5.7 Character
- 5.8 Topographical knowledge
- 5.9 Medical fitness

Area of operation

- 6.3 Defining the areas
- 6.5 Other sectors or areas

Vehicle inspection

- 7.18 Inspecting the vehicle
& 7.19

Fares

- 9.5 Method of fare charge

Annex I

An area of operation has been identified within this document as the Central London congestion charging zone (as at 31 March 2006).

For the purpose of identifying this zone relevant to this document, it is the area inside and excluding the following roads and any short connecting roads (clockwise from Vauxhall Bridge):

- Vauxhall Bridge Road
- Bressenden Place
- Lower Grosvenor Place
- Grosvenor Place
- Duke of Wellington Place
- Hyde Park Corner
- Park Lane
- Marble Arch
- Old Marylebone Road
- Marylebone Road
- Euston Road
- Grays Inn Road
- Swinton Street
- Penton Rise
- Penton Ville Road
- Goswell Street
- Wakley Street
- City Road
- Old Street
- Great Eastern Street
- Commercial Street
- White Chapel High Street
- Mansell Street
- Mans Yard
- Minories
- Tower Bridge Approach
- Tower Bridge
- Tower Bridge Road
- Old Kent Road
- New Kent Road
- Elephant and Castle
- Newington Butts
- Kennington Lane
- Vauxhall Bridge

