



Jersey

# **MOTOR TRAFFIC (CABS – GENERAL) (JERSEY) ORDER 2021**

## **Official Consolidated Version**

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Showing the law from 31 May 2021 to Current



Jersey

## **MOTOR TRAFFIC (CABS – GENERAL) (JERSEY) ORDER 2021**

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## **MOTOR TRAFFIC (CABS – GENERAL) (JERSEY) ORDER 2021**

**THE MINISTER FOR INFRASTRUCTURE** makes this Order under Articles 37, 38 and 46 of the [Motor Traffic \(Jersey\) Law 1935](#) –

Commencement [[see endnotes](#)]

### **1 Interpretation**

In this Order, unless the context otherwise requires –

“cab” means a cab which is a limousine-cab or a taxi-cab;

“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 7;

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

“limousine-cab” means a motor vehicle in respect of which a public service vehicle licence is in force prohibiting it from using taxi ranks;

“taxi-cab” means a motor vehicle in respect of which a public service licence is in force permitting it to use taxi ranks;

“taxi rank” means a stand established by a Minister in accordance with Article 37 of the Law for use by cabs.

### **2 Use of taxi ranks**

(1) A vehicle that is not a taxi-cab must not –

(a) stop on a taxi rank;

(b) wait on a taxi rank; or

(c) pick up passengers at a taxi rank.

(2) If a limousine-cab is used in contravention of paragraph (1), that action is a breach of the public service licence in respect of that vehicle and the licence may be revoked or suspended under Article 10(1)(b) of the Law.

### **3 Signs: taxi-cabs**

A taxi-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 taxi-cab; and
- (b) can show if the taxi-cab is available for hire.

#### **4 Public service licence number to be displayed in taxi-cabs**

A taxi-cab must not be used to provide a cab service unless there is displayed inside the taxi-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 taxi-cab.

#### **5 Notice of fares and charges displayed in taxi-cabs**

A taxi-cab must not be used to provide a cab service unless there is displayed inside the taxi-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 taxi- cab.

#### **6 Taxi meters in taxi-cabs**

- (1) A taxi-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.
- (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 taxi-cab;
  - (c) any device designed to secure the integrity of the meter has not been tampered with, whether physically, electronically or by any other means.

#### **7 Electronic payment devices in taxi-cabs**

- (1) A taxi-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 taxi-cab;
  - (b) it does not produce any electromagnetic or other signal capable of adversely affecting the safe and effective operation of the taxi-cab or of any other device required by law to be within the taxi-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 taxi-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.

## **8 Notice of electronic payment facility in taxi-cabs**

A taxi-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.

## **9 Limousine-cabs**

- (1) 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 after it.
- (2) A limousine-cab must not display any sign indicating that it is providing a cab service other than a plate displayed in accordance with Article 13(2) of the Law.

## **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 when reasonably requested to do so at any other time.

## **11 Enforcement**

- (1) A person who uses a motor vehicle in contravention of Article 2(1) commits an offence.
- (2) If there is a breach of any provision in Articles 3 to 9, the driver of the cab and, if different, its owner, each commit an offence.
- (3) A passenger who fails to comply with a requirement of Article 10 commits an offence.
- (4) A person who is guilty of an offence under this Order is liable to a fine of level 2 on the standard scale.

## 12 Transitional provision<sup>1</sup>

- (1) In this Article –
- “2002 Order” means the [Motor Traffic \(Taxi-Cabs – General\) \(Jersey\) Order 2002](#);
- “2003 Order” means the [Motor Traffic \(Public Service Vehicles \(Conditions of Fitness\)\) \(Jersey\) Order 2003](#);
- “accessibility requirements” means the requirements, subject to any transitional provisions, in the amended 2003 Order that re-enact, with or without modifications, Articles 26 to 30 and Article 32 of the pre-commencement 2003 Order;
- “amended 2003 Order” means the 2003 Order as in force on 31st May 2021;
- “pre-commencement 2003 Order” means the 2003 Order as in force on 30th May 2021;
- “private-hire cab” means a private-hire cab within the meaning of Article 1 of the 2002 Order –
- (a) in respect of which a public service licence is in force on 30th May 2021; and
- (b) which does not comply with the accessibility requirements on 31st May 2021;
- “taxi” means a taxi within the meaning of Article 1 of the 2002 Order –
- (a) in respect of which a public service licence is in force on 30th May 2021; and
- (b) which does not comply with the accessibility requirements on 31st May 2021.
- (2) Despite Article 13 –
- (a) Article 2 of the 2002 Order continues to apply to a taxi until the date the taxi must comply with the accessibility requirements in the amended 2003 Order; and
- (b) the restrictions in Article 3 of the 2002 Order and, accordingly, the enforcement provisions in Article 11(1) and (5) of that Order, continue to apply to a private-hire cab until the date the private-hire cab complies with the accessibility requirements in the amended 2003 Order.<sup>2</sup>

## 13 <sup>3</sup>

## 14 Citation and commencement

This Order may be cited as the Motor Traffic (Cabs – General) (Jersey) Order 2021 and comes into force on 31st May 2021.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Motor Traffic (Cabs – General) (Jersey) Order 2021	<a href="#">R&amp;O.67/2021</a>	31 May 2021	

◦Projets available at [statesassembly.gov.je](http://statesassembly.gov.je)

### Table of Endnote References

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- <sup>1</sup> Article 12, heading *editorial change, “Provision” omitted, “provision” inserted instead*  
<sup>2</sup> Article 12(2)(b) *editorial change, “cab” inserted before “complies”*  
<sup>3</sup> Article 13 *spent, omitted*