

BODY: General Licensing Committee

DATE: 9th March 2005

SUBJECT: Group II Medical Examination Requirements for Hackney Carriage and Private Hire Drivers

REPORT OF: Licensing Officer, Environmental Health

Ward(s): All

Purpose: To seek Members approval for hackney carriage and private hire drivers to be subject to Group II medical examination standards as a requirement of holding a drivers licence.

Contact: Claire McKeown, Licensing Officer, Telephone 01323 415367 or internally on extension 5367.

Recommendations It is recommended that Committee resolves that:
:
1. Hackney carriage and private hire drivers satisfy Group II medical examination.

1.0 Introduction

- 1.1 The Local Government (Miscellaneous Provisions) Act 1976 states that an applicant for a Hackney Carriage or Private Hire drivers licence shall be a fit and proper person.
- 1.2 The Council must be satisfied that all drivers are fit and proper persons, are healthy and free from illnesses or diseases which could affect their driving ability.
- 1.3 To achieve this, drivers are currently subject to a Group I medical examination. This is the DVLA standard for normal private motorists. The medical examinations are carried out at the following times;
- Routine examinations**
- a) when a licence is first granted;
 - b) when a driver re-enters the trade after an absence of 1 or more years;
 - c) at 5 yearly intervals beginning at age 50;
 - d) annually beginning at age 65;
- Non-routine examinations**
- a) when the driver declares a medical condition, a doctor must certify that the driver is fit to continue to hold a licence.
 - b) at intervals determined by the Council's medical adviser.

2.0 Proposal for Revision of Medical Examinations of Licensed Drivers

- 2.1 Taxi and Private Hire drivers are the only professional drivers who are not required to be subject to the DVLA Group II Standard. All HGV and PSV drivers are liable to Group II.
- 2.2 Group II Examination is of a higher grade which reduces the risk of a driver

becoming ill whilst driving, thereby reducing the risk to both passengers and other road users.

- 2.3 A number of licensed drivers already have Group 2 medicals through holding HGV or PSV licences.
- 2.4 The standards for both Group I and Group II are laid down in the guide for medical practitioners "Medical Aspects of Fitness to Drive" published by the Medical Commission on accident prevention. The DVLA sent a letter on 16/8/04, (appendix 1) advising that they were updating the information on taxi licensing, published within the Medical Practitioners Guide. The current best practice advice is that Group II standards should be applied to all hackney carriage and private hire drivers.
- 2.4 Almost all of the Councils in Sussex have adopted Group II as their standard of fitness.
- 2.5 Benefits of the Group II, medical examination are:
- Higher health standard of drivers.
 - Greater public confidence in fitness of drivers.
 - Drivers would have early warning of any possible medical conditions and could therefore take preventative action e.g. medicine or surgery.
- 2.6 The age requirement for Group II examinations to be carried out starts at 45, where as the Group 1 examination starts at age 50.

3.0 Consultations

- 3.1 The taxi and private hire forum held in September 2004 were informed of the proposed change. The matter has been discussed at previous forums.

4.0 Human Resource Implications

- 4.1 There are none

5.0 Financial Implications

- 5.1 There are none for the Council.
For the trade, Group II medical examination fees are similar to Group I fees. Drivers transferring from one licensing authority will not have to pay for an additional examination.

6.0 Community Safety

- 6.1 The proposal will improve public safety through the higher standard of the Group II examination.

7.0 Youth, Anti-Poverty, Environmental and Human Rights Implications

- 7.1 There are none.

8.0 Summary

- 8.1 The upgrade to Group II medical examinations will raise health standards of

drivers and increase public confidence in their fitness.

8.2 It will give drivers earlier warning of any impending health problems allowing them to seek medical advice.

8.3 There are no significant costs to the Council nor the trade.

Claire McKeown
Licensing Officer

Background Papers:

The Background Papers used in compiling this report were as follows:

Medical Aspects of Fitness to Drive

To inspect or obtain copies of background papers please refer to the contact officer listed above.

CI/m/reports/Planning & Licensing – Medical – 29

ITEM 8 - AMENDMENT TO REPORT

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Additional Recommendations

2. Drivers currently licensed by the Council are exempt from the higher Group II Fitness to drive standards until 31 March 2008.
3. Group II medical examinations apply to all applications received from today.

New paragraph 2.7

- 2.7 Existing drivers with medical conditions who would not meet Group II requirements could be granted 3 years "grandfather rights" providing they continue to meet Group I standards. This falls in line with the Department of Transport Policy of 1978 which granted 3 year rights to those existing HGV drivers who were unable to pass the Group II medical examinations. It gives current licensees the opportunity to obtain remedial treatment or find alternative employment.