

Taxi Licensing Policy update – card payments.

On Tuesday 17th January 2023 the Licensing and Regulatory Committee voted to start a public consultation on a taxi policy update.

The update relates to contactless payments in licensed Hackney Carriages and Private Hire vehicles. Below are the proposed changes:

We would remove the current section regarding card payments (section 45 of the policy) and insert the below:

- 45.1. *By <date>, all licensed Hackney Carriages vehicles, must have available at all times, an electronic device that allows contactless or card payments to be made. The driver must ask the passenger if they require a receipt. If the passenger requires a receipt, the driver must provide one which accurately states the time and date of the journey, driver number and fare.*
- 45.2. *By <date>, all licensed Private Hire vehicles, must ensure at all times, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.*
- 45.3. *All payment devices must:*
- a) *comply with the requirements of the current UK banking industry standards as stipulated by the Financial Conduct Authority (FCA).*
 - b) *be checked regularly and maintained to operational standards, including repairs after any damage. Any damage preventing the device from functioning must be repaired within 72 hours. If the device cannot be repaired, it must be replaced in 72 hours. Failure to do so will lead to the vehicle licence being suspended, until such a time as a functional device is able to be in use.*
 - c) *meet all requirements and standards as stipulated by the card scheme companies in terms of connections to a host such as GPRS, 3G, 4G, Bluetooth or other connection methods to complete payment transactions.*
 - d) *provide the functionality to protect the confidentiality of critical data (in particular PINs) whilst the card transaction is being processed.*
 - e) *payments through apps are permitted, if a passenger has access to the app via their own phone or device. Drivers must not enter card details into their own phone or device to process a payment.*

45.4. *Licence holders are reminded, they are legally obliged to comply with the requirements of data protection legislation in respect of all transaction processes, data management and storage. This includes the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and any subsequent data protection legislation. You can find out more about your obligations from the Information Commissioner’s Office (ICO). This is relevant when handling personal information such as names, addresses, email addresses and telephone numbers. All such processing must comply with the requirements of data protection legislation. Breaches of data protection legislation may impact on the ability to hold a licence with the Council.*

Insert into Appendix H, the penalty point chart for “Breach of policy requirement”, the following:

	<i>Failure to comply with section 45 of the policy</i>	<i>3 - 6 penalty points</i>
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Insert into Appendix F, vehicle requirements, the following:

- *All licensed Hackney Carriages vehicles, must have available at all times, an electronic device that allows contactless or card payments to be made. A receipt which accurately states the time and date of the journey, driver number and fare, must be provided if requested by a passenger.*
- *All licensed Private Hire vehicles, must ensure at all times, they can provide a means for passengers to pay for fares by card or as a contactless payment. This can be, but is not limited to, electronic card payment devices or operator websites and apps.*

We will set a 2 month implementation period. Where it states <date> in 45.1 and .2, this will be 2 months after a decision has been made. Vehicle licence holders will have until this date to have operational contactless payment.

The consultation period commences on Tuesday 24th January 2023 and will continue for 4 weeks, ending at midnight on Tuesday 21st February 2023.

All responses during the consultation period will be considered. A summary of all responses will be included in the report to the Strategic Director for Community Place Delivery. The final determination will be made by the Strategic Director for Community Place Delivery. Any response to the consultation must be received in writing by the deadline set out above.

Please note that where responses include personal details in the body of the response this information may be subject to publication or disclosure.

All the responses to the consultation must be received by midnight on Tuesday 21st February 2023.

Please send your response either, in writing to the below postal address, or via email to the below email address.

Address:
Licensing Section
Community Services Department
St Albans City and District Council
St Peter's Street
St Albans
Herts
AL1 3JE

Email: licensing@stalbans.gov.uk

If you have any queries with regard to this matter, please contact the licensing section on the number above.

Yours sincerely

Daniel Pattenden
Specialist Officer Business Compliance