



GUIDANCE NOTES

Applicable to all Public Passenger Vehicle ("PPV") Driver Licence Application Forms required by the Road Transport Licensing Committee ("RTLC") under the Road Transport Act 2001

Paragraph 1 – Definition of 'Fit' Person

Under Section 40(4) of the Road Transport Act 2001, an applicant for a PPV driver licence has to satisfy the RTLC that they are a "fit person" to be a PPV driver.

The "fit person" test applies to PPV drivers of both Ply for Hire and Private Hire vehicles in the Island and across the United Kingdom. In 1998, in the case of *McCool v Rushcliffe Borough Council*, Lord Bingham, Lord Chief Justice, gave a clear and concise description of the test as follows:

"that they are safe drivers with good driving records and adequate experience; sober, mentally and physically fit, honest and not persons who would take advantage of their employment to abuse and assault passengers."

The "fit person" test has to be used initially in deciding whether an applicant will be granted a licence. It has to be applied if an issue of conduct arises during the three year currency of the licence. It also has to be applied when a Licence comes up for renewal.

Paragraph 2 – Personal Information

The RTLC acts as an independent body with responsibility for regulating the transport of passengers on the Isle of Man. The duty of the RTLC is to administer and enforce the provisions of the Road Transport Act 2001 and its related regulations.

The RTLC's key tasks are to ensure that all drivers are professional and competent and they are a 'fit' person which is defined in Paragraph 1.

ALL information on ALL forms relating to the RTLC may be shared with Police, Treasury and other investigative bodies in relation to any crimes and pending court proceedings or where there is any other lawful reason for disclosure. In the event of the Police commencing an investigation for fraud or any other criminal activity where the PPV holder is a potential suspect, information may be shared between the RTLC and Police for safeguarding / crime prevention purposes. All information shared will be done so under the terms of the Data Protection Act 2018.

Paragraph 3 – Data Protection

The RTLC is a Controller for the purposes of the Data Protection Act 2018 and requires the information on this form to comply with its legal obligations under the Road Transport Act 2001. Information may be shared with other authorities as referred to in Paragraph 2. We will only keep these details for the duration of your PPV Licence and in accordance with the Data Protection Act 2018. The personal information will then be deleted from our systems.

You have the right to lodge a complaint with the Information Commissioner if you think the RTLC is acting outside the Data Protection Act 2018. The Information Commissioner can be contacted on <https://www.inforights.im/> and the Data Protection Officer can be contacted on (01624) 686781 or by email at DPO-RTLC@gov.im. Full details of how and why the RTLC processes your personal information are contained in our Privacy Policy which is available here <https://www.gov.im/about-the-government/statutory-boards/road-transport-licensing-committee/privacy-notice/>

Paragraph 4 – Additional Items required

Every application for a PPV driver licence must include the following:

- The appropriate fee,
- Passport sized colour photograph of the applicant
- Full Isle of Man driving licence – see Paragraph 5
- A current enhanced Disclosure and Barring Service Certificate (“DBS”)

And if necessary:

- Certificate(s) of Good Conduct
- Medical Report
- Knowledge Test pass.

Paragraph 5 - Current Manx Driving Licence

To be a driver of a Public Passenger Vehicle you **MUST** have attained the age of 21 years.

Your application must include your current full Isle of Man driving licence. A scan or other copy is acceptable provided both sides are clearly legible. If you are attending the RTALC office to complete the DBS Certificate application we will record your driving licence details at the same time. The licence must entitle you to drive a vehicle of the appropriate group or category.

An applicant wishing to drive a vehicle with 17 seats and over (i.e. a bus) must have taken and passed the category D (bus) test. Note - the restricted category D obtained on passing an HGV category C test is not sufficient.

Paragraph 6 – Driving Experience

In relation to driving experience, the applicant should provide the date of passing their driving test and whether it was for cars or motorcycles.

The applicant should also provide an account of the types of driving they have engaged in on a regular basis. This may include employment as a driver in a commercial or professional capacity and should include the types of vehicles driven.

Paragraph 7 - Previous Convictions

Full details of all previous convictions and cautions must be provided.

In relation to previous convictions, in each case the applicant is required to provide details of the date of the offence and the sentence or penalty imposed.

An enhanced DBS Certificate must be included as part of the application. The RTALC will assist you in making an application for an enhanced DBS Certificate via the online provider CareCheck. This will require an identity check to be carried out, which must be done in person at the RTALC office – please see **DBS Guidance Notes**. It should be noted that convictions are not always or necessarily a bar to the issue of a PPV driver licence but you may be required to explain the circumstances surrounding any offences to the RTALC prior to a licence being issued.

Under the provisions of the Rehabilitation of Offenders Act 2018 (Exceptions) Order 2018 (or any subsequent legislation which makes equivalent provision), spent convictions are to be disclosed to the RTALC in relation to an application to drive a PPV. If you are granted a PPV driver licence and allowed to operate as a PPV driver as a direct result of any failure to disclose your full convictions during the application process, you would be considered to have committed an offence of fraud and, on conviction, be liable to a fine or imprisonment.

Please note that a DBS Certificate may not include all your previous convictions and cautions.

Be aware that the RTALC will obtain conviction and caution records from the Police where they have any concerns regarding the accuracy of the documentation you provide.

Licensed drivers have close regular contact with the public and are responsible for their safe transport. The RTLC will look very carefully at any application where there are convictions for offences involving violence, sexual offences, dishonesty, drugs and serious driving offences such as drink/drug driving.

If the applicant has a conviction for any of these offences the RTLC will expect a substantial period of time to have elapsed since completion of the sentence or related driving ban.

For guidance this would be 7 years for one offence of drink/drug driving and 10 years where the applicant has two convictions. Similar time periods would apply to other serious offences and the application will only be considered in exceptional circumstances outside these guidelines.

Paragraph 8 - Medical Report Requirements

All new applicants, regardless of who they are driving for, are required to obtain a Medical Report as to their fitness to drive a PPV by their GP or a doctor with access to the applicant's medical records at their expense prior to a new PPV driver licence application being considered.

You will also be required to obtain further medical reports upon the first renewal of your licence following your 50th birthday and each renewal up to age 65. From this age annual medical reports are required.

Exception (renewals only): PPV driver licence holders who drive minibuses for Isle of Man Government Departments only or are not required to undergo a medical report until reaching the age of 65. From this age an annual medical is required.

Any subsequent changes in your health which might affect your fitness to drive must be reported to the RTLC immediately.

Paragraph 9 - Knowledge Test

If you are applying for a licence to drive a Ply for Hire taxi you will be required to sit a written "Knowledge Test". You are permitted to sit the Knowledge Test a maximum of three times.

Should you wish to drive Private Hire vehicles ONLY, the "Knowledge Test" is not required and your PPV licence will be restricted accordingly.

Please note: If you are required to pass the "Knowledge Test" it is advisable to do this prior to undergoing a medical examination.

Paragraph 10 - Certificate of Good Conduct

If you have not lived in the Isle of Man or United Kingdom for the last 5 years, or you are a British National who has lived abroad for a period of 3 months or more within the last 5 year period, you are required to obtain a "Certificate of Good Conduct" from the country(s) where you have lived.

The applicant must obtain and pay for a "Certificate of Good Conduct" by contacting the Embassy of that country. If the document is not provided in English the applicant is required to pay for the document to be translated using a certified translator. Failure to obtain this Certificate may result in your application being rejected.

Paragraph 11 - Character Reference

You must obtain a character reference from a referee who must complete the Certificate of Character section of your application form. You should have personally known the referee for at least three years and the referee must not be a relative, current or former partner, or work in the Private Hire or taxi trade.

The referee must be one of the following; your current or last employer, a current or former Member of Tynwald, a Justice of the Peace, a Minister of Religion, an Advocate, School or College Teacher, Health Care Professional, established Civil Servant or a person of similar standing (not being a person holding any position in or connected with the RTLC).

The referee must be prepared to vouch that the applicant is of good character and in their opinion be a suitable person to drive a PPV. The referee must countersign this form when completed by the applicant and act as witness to the applicant's signature.

Paragraph 12 - Language requirements

Applicants whose first language is not English may be referred to the University College Isle of Man ("UCM") for an initial language assessment, which will be free of charge. However, following this assessment, applicants may be required to attend an English language course at their own expense. You can make an appointment regarding the initial assessment by contacting the UCM on 648302.

Paragraph 13 - Photographs

All applications must include a recent colour photograph of the applicant which satisfies the Isle of Man driving licence specifications. The photo should be passport size, i.e. 45 mm x 35 mm (1.77 inches by 1.38 inches). A suitable photo may be sent electronically to the RTLC office at the time of making an application.

Paragraph 14 – Current fees

Every application must be accompanied by the appropriate fee in the form of debit card, cash or a cheque payable to the "Isle of Man Government".

Paragraph 15 – Legislation

Copies of all legislation referred to in these notes and on the application forms can be downloaded from the Isle of Man Government on-line legislation website <https://www.legislation.gov.im/>.

In the case of convictions during the term of the PPV licence, Section 20(2A) needs to be read in conjunction with Paragraph 1(3) and Paragraphs 3 & 4 of Schedule 1.

PPV Driver Licence Application		Fee
1	A new application to drive a Ply for Hire taxi	£65.00
2	A new application to drive a Private Hire car, minibus or bus	£36.00
3	All PPV driver licence renewal applications	£36.00
3	Replacement of a lost or damaged PPV driver licence (paper part or badge)	£35.00
DBS Certificate Application		
4	Application for Disclosure and Barring Certificate	£49.05

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