

Item



REVIEW AND UPDATE OF TAXI TINT SPECIFICATION REQUIREMENT

To:

Licensing Committee 08/07/2019

Report by:

Yvonne O'Donnell, Environmental Health Manager

Tel: 01223 - 457951

Email: yvonne.odonnell@cambridge.gov.uk

Wards affected:

All

1. Executive Summary

- 1.1 Under the powers conferred to Cambridge City Council under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, (as amended), Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.

- 1.2 The current Hackney Carriage & Private Hire Licensing Handbook, is guidance provided to all drivers, vehicles and operators and was last updated in April 2019.
<https://www.cambridge.gov.uk/media/6738/hackney-carriage-and->

- 1.3 It is within the Cambridge City Council, Hackney Carriage & Private Hire Licensing Handbook, in which Vehicle standards are contained in Appendix G. (see Appendix A).
- 1.4 Within the Vehicle Standards, A vehicle standard applies to both hackney Carriage and Private Hire vehicles in relation to rear taxi tints. Vehicle Standards list states:
“These vehicles will not be accepted if any windows let through less than 70% light. Passengers being carried in the vehicle must be visible from the outside”.
- 1.5 Again, Cambridge City Council window tint vehicle standard is mentioned on page 109, point No. 8 of the General Vehicle Standards list, that states vehicles licensed with Cambridge City must *“Have windows that permit maximum visibility into, and out of, the vehicle. All windows must therefore let at least 70% of light through them.”* This requirement has been required due on safety grounds, as all passengers are required to be seen clearly from the outside.
- 1.6 Since January 2019, Licensing officers have noted that some vehicles wishing to be licensed are failing their Certificate of Compliance, due to vehicle rear passenger windows not complying with Cambridge City Council current window tint requirement. As a result, in order for vehicle to be licensed, vehicles are requiring to get their windows replaced.
- 1.7 A proportion of these vehicles failing their Certificate of compliance due to Window tints are new Zero Emission vehicles.
- 1.8 There has been an uptake in individuals looking to purchase electric vehicle since, the introduction of Incentives including; Full Licence Fee Exemption for Zero Emission Vehicles, and 50% Licence Fee discount for Ultra-Low emission vehicles (Dependent on funding availability).

- 1.9 The above incentives stem from the 2015-25 Air Quality Action Plan which includes a strategy to reduce polluting emissions in order to improve poor air quality in Cambridge City.
- 1.10 Taxi licensing policies have been implemented to transform the vehicle fleet into a low emission fleet which will lead to a significant reduction in emissions and a significant improvement in air quality in Cambridge.
- 1.11 Policy states “Cambridge City Council has set out a set date for all new Licensed Saloon Vehicles to be Zero or Ultra-Low Emission with effect from 1 April 2020”
- 1.12 Since the introduction of the incentive on 1 April 2018, 29 Zero Emission vehicles (28 Hackney Carriage vehicle and 1 Private Hire vehicle) and 4 Ultra-Low emission vehicles (3 Hackney Carriage vehicle and 1 Private Hire vehicle) have been licensed through the incentive.
- 1.13 However, it has been found that many electric vehicles are manufactured with dark tinted windows.
- 1.14 Specifically, vehicles with higher specifications (which would be more attractive to taxi trade) are manufactured with dark tints. This is demonstrated by the popular choice amongst trade in relation to Nissan Leaf vehicles.
- 1.15 Research conducted by Licensing officers have found that, Glyn Hopkin, Nissan advised that Nissans Acenta the current 40Kwh version of the all-electric Nissan Leaf with a range of 130-160 miles is their only available Nissan Leaf with a compliant level of tint on the windows.
- 1.16 Sales representatives from Glyn Hopkin, Cambridge also advised that models with higher specification, come with a higher level of tint, and if they are requested to comply with tint level, lead to ordering

delays and limits to choice of used vehicles. For example, the more powerful 63Kwh version of the Nissan Leaf will soon be available and has a range over 200 miles (Appendix B). This vehicle is not manufactured with windows which comply with Cambridge City Councils requirement, however due to the trade, this vehicle will be more suitable and attractive to licensed drivers.

- 1.17 Nissan representatives also advised that the cost of replacing windows varies between £600 - £2000 depending on whether Nissan genuine glass is used. A large cost for those requiring to replace vehicle windows.
- 1.18 However, research was also conducted on Toyota vehicles, which are currently the preferred Ultra-low vehicles currently by the trade. Toyota Cambridge advised that all vehicles in Hybrid range, Yaris, Auris, Corolla, C-HR, Prius, Prius+ and Rav4, all meet the current Window Tint requirement with a 26% tint and 74% transition (Appendix C).
- 1.19 The taxi trade has requested the City Council to reconsider the current tint requirement due to the lack of electric vehicles manufactured in the car market that meet current tint requirements. (See Appendix D).
- 1.20 The Taxi trade has also expressed concern during Taxi Trade Forums, over the cost of changing windows, the requirement of purchasing electric vehicles, and the need to install CCTV cameras in their vehicles.
- 1.21 Officer online search on autotrader.com on 10 June 2019, found that there were 31 fully electric vehicles with the search criteria of within 60 miles of Cambridge, less than 4 years of age and saloon.
- 1.22 The only vehicles presented following above search, were Tesla vehicles. When licensing officers conducted research on tinted windows, Tesla advised that their model S can be ordered without

tinted windows, however the Model X cannot, with a tint level of 90% (10% light transmission).

- 1.23 Second auto trader.com search for all types of hybrid vehicles using the same criteria, found 346 available vehicles. Window tints of these vehicles all varied between make and model of vehicle.
- 1.24 Further research found that a contributing factor for electric vehicles being manufactured with dark tinted windows is due to energy efficiency. Darker tinted windows block of solar energy, this means that the interior of the vehicle is kept cool in the summer and keeps heat inside the vehicle during colder months. This reduces the need for AC and heat.
- 1.25 Following research, there are several options to Cambridge City Council include;
 - Retain current tint requirement (70% transition/ 30% tint)
 - Have no specification for Taxi window tints.
 - Allow for manufactured window tint up to a specific level of tint, i.e maximum tint of either 70%, 80% or 90%, ensuring complete black out tints are not permitted.

2. Recommendations

- 2.1 Members of the Licensing Committee are recommended to consider and approve the following change to current Taxi Window tint specification:
- 2.2 70% window tint maximum and 30% transition minimum for rear passenger windows (Appendix E).
- 2.3 Only vehicles with manufactured tinted windows, meeting above standard will be approved to be licensed.
- 2.4 No film tinted windows will not be approved to be licensed.

2.5 Front windscreen and Front passenger and driver windows to meet national legal requirement.

3. Background

3.1 Cambridge City Council has responsibility for licensing Hackney Carriage, Private Hire and Dual Licence Drivers as well as vehicle proprietors and Private Hire Operators within the City.

3.2 In doing so, Cambridge City Council seeks to promote the following objectives that impact on the Hackney Carriage and Private Hire trades:

- i) The protection of the public;
- ii) The establishment of professional and respected hackney carriage and private hire trades;
- iii) Access to an efficient and effective public transport service; and
- iv) The protection of the environment

3.3 The current Government law in relation to tinted windows is dependent on when the vehicle was first used. Vehicles first used on 1 April 1985 or later; front windscreen must let at least 75% of light through and the front side windows must let at least 70% of light through. Vehicles first used before 1 April 1985; the front windscreen and front side windows must both let at least 70% of light through.

3.4 There are no legal restrictions for the tinting of the rear windscreen or rear passenger windows. This leaves manufactures the option of manufacturing vehicles with dark tinted rear windows, which many manufacturers opt for due to the associated sellable benefits.

3.5 The main documented benefits of dark tinted windows are:

- Added Privacy and Security;
- UV Ray Blockage;
- Solar Heat rejection, reducing the buildup of solar heat;

- Fade reduction, reducing sunshine that can fade upholstery;
 - Aesthetic appearance.
- 3.6 Currently, Cambridge City Council vehicle standards requires all licensed vehicles to have at least 70% light transition and maximum 30% tint for rear/ back passenger windows.
- 3.7 The above requirement applies to both Private Hire vehicles and Hackney Carriage vehicles, which are key in providing public transport. Taxi services include, transporting visitors, locals, supporting safeguarding agencies, and schools within Cambridge City.
- 3.8 The benefits to dark tinted windows mentioned above may be attractive to drivers, however the point of added privacy is arguably a disadvantage for licensed vehicles.
- 3.9 Dark tinted vehicles make it more difficult to see into the rear of the vehicle. This can be difficult for a number of reasons such as;
- Passengers cannot be viewed from the outside of the vehicle, which can be a potential risk to passengers and drivers.
 - Enforcement officers are unable to identify number of passengers in the vehicle to ensure licensed vehicle is not exceeding number of passengers.
- 3.10 Although the above disadvantages of darker tinted windows are identified, on an online search, no documented incidents that were a consequence of dark tinted windows were identified. The evidence required to support the requirements on grounds of public safety has not been established during searches.
- 3.11 As there is no set legal requirement for rear passenger window tint limits, Councils are able to determine the specification. See below table for examples of other local authority specifications.

Table 1

Council	Level of Tint
Wealden District Council	Tint should be no darker than the front side window. To match legal requirement that front side windows should allow 70% visual light transmission.
Leeds City Council	Minimum light transmission 70%
City of Cardiff Council	Windscreens must allow at least 75% of light pass through, with all other windows allowing 70 per cent.
Newcastle City Council	The Licensing Authority permits Private Hire Vehicles and Hackney Carriages to use glass to the rear of the "B pillar" which has a light transmittance of less than 70%.
Doncaster Metropolitan Borough Council	In 2016 PHV specification amended to permit factory fitted tinted windows. HCV - Glass allowing a minimum of 75% light ingress on front windscreens and not less than 70% light ingress on all side and rear passenger windows, which does not inhibit the ability to see passengers or the driver from the outside of the vehicle, is required.
Turnbidgewells Borough council	All windows must meet the requirements as prescribed by the Road Vehicles (Construction and Use) Regulations.
North Lincolnshire	No restrictions if manufacturers specification
Birmingham City Council	HCV and PHV - Only tinted and anti-glare windows fitted by the vehicle's manufacturer are acceptable
South Tyneside Council	All rear windows/glass minimum light transmittance – 35%
Peterborough City Council	HCV – No more than 25% tint value
South Cambridge District Council	After market Window tints shall not be fitted to any window.
East Cambs District Council	No tint requirement identified for rear passenger window tints.

3.12 It can be noted that two of Cambridge City Council neighbouring authorities, do not have a window tint requirement.

3.13 Within the Department for Transport (Dft) Taxi And Private Hire Vehicle Licensing: Best Practice Guidance,2010 the guidance in regards to window tints states:

“30. The minimum light transmission for glass in front of, and to the side of, the driver is 70%. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in estate and people carrier style vehicles. When licensing vehicles, authorities should be mindful of this as well as the large costs and inconvenience associated with changing glass that conforms to both Type Approval and Construction and Use Regulations.”

4 Implications

a) Financial Implications

Nil.

b) Staffing Implications

Existing staff resources will absorb the review of the window tint requirement, along with any changes arising from the review.

c) Equality and Poverty Implications

Nil.

d) Environmental Implications

Nil.

e) Procurement Implications

Nil.

f) Community Safety Implications

Cambridge City Council has a duty to provide a safe and secure taxi service. The Council has a responsibility to review, consult and publish the Hackney Carriage and Private Hire Licensing Policy on a regular basis, or it could be believed that the Authority's policy is not sound.

5 Consultation and communication considerations

6 Background papers

<https://www.gov.uk/tinted-vehicle-window-rules>

<https://www.technicalwindowfilms.co.uk/news/benefits-car-window-tinting>

<https://window-tint.co.uk/content/17-car-window-tinting-benefits>

<https://www.nissan.co.uk/vehicles/new-vehicles/leaf/prices-specifications.html#grade-LEAFZE1A-1|specs>

<https://www.cambridge-news.co.uk/news/cambridge-news/electric-cars-peterborough-charging-station-15624606>

<https://www.autotrader.co.uk/>

7 Appendices

Appendix A – Vehicle Standards (Hackney Carriage and Private Hire Taxi Handbook)

Appendix B – Email from Glyn Hopkins representatives

Appendix C – E-mail from Toyota Cambridge

Appendix D – Trade request

Appendix E – Levels of window tints example

8 Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Wangari Njiiri, Environmental Health and Licensing Support Team Leader

Tel: 01223 458533

E-mail: wangari.njiiri@cambridge.gov.uk.