

**BRISTOL CITY COUNCIL**

**PUBLIC SAFETY AND PROTECTION COMMITTEE**

**30 May 2023**

**Report of: Executive Director, Growth and Regeneration**

**Title: Consideration of hackney carriage and private hire policy in respect of tinted windows**

**Ward: Citywide**

**Officer Presenting Report: Abigail Holman, Licensing Team Leader**

**Contact Telephone Number: 0117 3574900**

**RECOMMENDATION**

The committee are recommended to:

- (1) Delegate authority to the Licensing and Trading Standards Manager and Licensing Team Leader to undertake consultation on whether the policy should be amended to permit tinted windows on licensed vehicles.

**Summary**

1. Hackney carriages and private hire vehicles play an integral part of the local public transport infrastructure. They provide a flexible form of public transport and play an important role in improving accessibility as the whole fleet is wheelchair accessible.
2. In July 2021 the Council introduced its revised Hackney Carriage and Private Hire Licensing Policy. The policy brought together in a single document the separate vehicle and driver policies and replicated the existing vehicle policy with few changes.
3. The policy in respect of tinted windows is outlined in the Hackney Carriage and Private Hire Licensing Policy. The Private Hire Vehicle Specification starting at page 12 states:  
*Tints*
  13. *Tinted glass windows are permissible provided:*
    - a. *The light transmitted through the windscreen must be at least 75%.*

*b. The front side windows must allow at least 70% of light to be transmitted through them.*

*c. Rear side windows must allow at least 65% of light to be transmitted through them.*

*d. The vehicles rear window is exempt from the light transmission test.*

*14. Tinted films or glass applied retrospectively to the vehicle windows are not permitted.*

4. The Hackney Carriage and Private Hire Vehicle Inspection Standards for all vehicles are set out at page 19 of the policy. Section 6.5 Window Glass or Other Transparent Material, sub section (h) states:

*“h. The light transmitted through the windscreen must be at least 75%.*

*The front side windows must allow at least 70% of light to be transmitted through them.*

*Rear side windows must allow at least 65% of light to be transmitted through them.*

*The vehicles rear window is exempt from the light transmission test.”*

5. Tinted windows with less light transmission than the specifications stated in the above paragraphs are only permitted in relation to executive vehicles where it can be evidenced that there is a demand for tinted windows. The Private Hire Vehicles - Exemption from requirement to display Vehicle Identification which starts at page 46 of the policy states:

*“e) In certain circumstances passengers or businesses may request vehicles with tinted windows. Applicants must provide evidence of such a demand in order for the Council’s to depart from its standard requirements prohibiting tinted windows.*

*The proprietor must at all times ensure that all windows of the vehicle comply with current Road Traffic or Construction and Use Regulations”*

6. This means that any application for a new vehicle, which is not seeking an executive exemption, is not permitted to have dark tinted windows.
7. A request has been received from trade representatives which requests that the committee consider lifting the restriction on tinted windows for all licensed vehicles. They indicate that the majority of new vehicles come with tinted windows as standard, and the cost of replacement is significant. They have also indicated that replacement of tinted glass

with clear glass is becoming increasingly difficult as many glass replacement companies are not able to supply it.

## Context

8. The inspection standards were originally introduced in 2013 to ensure that vehicles were assessed for their suitability for use for hire and reward by the public. They have been amended on a number of occasions since then, however the requirements relating to tinted windows were included in the original document. The wording has been changed to allow slightly less light transmission than was originally permitted on rear windows and the rear windscreen. The rear windows were originally 70% now allowed 65%, and the rear windscreen was originally 70%, now there is no specified requirement.
9. All windows must still comply with Section 32 of the Road Vehicles (Construction and Use) regulations for that specified window, which primarily relate to the front windows and front windscreen.
10. The Department for Transport have produced a Best Practice Guidance document. The guidance is non-statutory and the Council is not required to have regard to it, however it has been a useful document to outline best practice in a number of areas. The current guidance states:

*“Tinted windows  
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”*
11. In March 2022 the DFT produced a draft update of their best practice guidance. The Council responded to a consultation on this document and the results have not yet been published.
12. Officers have undertaken some preliminary work with glass replacement companies to understand what if any issues there are with replacing tinted windows in vehicles, and a number of the responses highlighted issues with a lack of availability of clear glass, the high cost of replacement glass, and that where glass has to be sourced from the manufacturer or dealership the normal practice is

that the dealership provide like for like glass, so the same glass the vehicle was originally manufactured with. This has made is challenging for glass companies to ensure the dealer understands why the clear glass is needed.

## Other Considerations

### 13. Equality Impact Assessment

An equality impact assessment was undertaken in respect of the proposed changes to the policy in 2021, and this is attached at Appendix A. In particular this highlighted some concerns around permitting tinted windows for visually impaired passengers and women, older people and younger people.

14. It is recommended that if consultation is proposed the relevant equalities groups are included, alongside other relevant consultees.

## Recommendations

15. Officers request that the committee consider the information presented, and:

Provide delegated authority to the Licensing and Trading Standards Manager and Licensing Team Leader to undertake a consultation in respect of the proposed removal of the requirements for light transmission on licensed vehicles.

## **Appendices – As links or attachments**

Appendix A – EQIA from policy consultation dated July 2021.