
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 37

**Public Service Vehicles Accessibility
Regulations (Northern Ireland) 2003**

PART II

APPLICATION OF REGULATIONS, EXEMPTIONS AND RECOGNITION

Application

3.—(1) These Regulations apply to public service vehicles of the types described respectively in paragraphs (2) to (7) (a “regulated public service vehicle”) in the manner and to the extent set out in this Part.

(2) A single-deck bus which weighs more than 7.5 tonnes and is in use on or after 31st August 2003 shall require a certificate referred to in paragraph (8) relating to Schedules 1 and 2, except that a single-deck bus which—

- (a) is first used before that date; or
- (b) is manufactured before 1st June 2003,

shall not require any certificate relating to Schedules 1 and 2 until 1st September 2018.

(3) A single-deck bus which weighs 7.5 tonnes or less and is in use on or after 31st August 2003 shall require a certificate referred to in paragraph (8) relating to Schedule 2, except that a single-deck bus which—

- (a) is first used before that date; or
- (b) is manufactured before 1st June 2003,

shall not require a certificate relating to Schedule 2 until 1st September 2017.

(4) Without prejudice to paragraph (3), a single-deck bus which weighs 7.5 tonnes or less and is in use on or after 1st September 2007 shall require a certificate referred to in paragraph (8) relating to Schedule 1, except that a single-deck bus which—

- (a) is first used before that date; or
- (b) is manufactured before 1st June 2007,

shall not require a certificate relating to Schedule 1 until 1st September 2017.

(5) A double-deck bus which is in use on or after 31st August 2003 shall require a certificate referred to in paragraph (8) relating to Schedules 1 and 2, except that a double-deck bus which—

- (a) is first used before that date; or
- (b) is manufactured before, 1st June 2003,

shall not require any certificate relating to Schedules 1 and 2 until 1st September 2019.

(6) A single-deck or double-deck coach which is in use on or after 31st August 2003 shall require a certificate referred to in paragraph (8) relating to Schedule 3, except that a single-deck or double-deck coach which—

- (a) is first used before that date; or
- (b) is manufactured before, 1st June 2003,

shall not require a certificate relating to Schedule 3 until 1st September 2022.

(7) Without prejudice to paragraph (6), a single-deck or double-deck coach which is in use on or after 1st September 2007 shall require a certificate referred to in paragraph (8) relating to Schedule 1, except that a single-deck or double-deck coach which—

- (a) is first used before that date; or
- (b) is manufactured before 1st June 2007,

shall not require a certificate relating to Schedule 1 until 1st September 2022.

(8) The certificates referred to in paragraphs (2) to (7) are the certificates (and any other associated approval and declaration) issued in accordance with Parts III to VI and which, when so issued, signify the compliance and conformity of the vehicle concerned with the Schedules specified respectively in those paragraphs.

(9) In paragraphs (2) to (7)—

- (a) “first used” is to be construed in accordance with regulation 2(2); and
- (b) references to a vehicle being “used” or “in use” means the regulated public service vehicle is being used to provide a scheduled service.

Exemptions

4.—(1) The requirements specified in regulation 3 do not apply to a regulated public service vehicle which is—

- (a) an off-road vehicle within the meaning of paragraph 4 of Annex II(A) to the 1970 Directive;
- (b) used in accordance with section 10B of the Transport Act (Northern Ireland) 1967(1);
- (c) used for the secure transport of persons (including prisoners);
- (d) specifically designed for the carriage of injured or sick persons;
- (e) used by or for purposes of a Minister of the Crown or government department or in the service of a visiting force or headquarters; or
- (f) a vehicle in respect of which twenty years have elapsed since the date of its first use on a road and which is not used to provide a scheduled service for more than 20 days in any calendar year.

(2) The requirements of the Schedules specified in paragraph (3) shall not come into effect in relation to any regulated public service vehicle to which those Schedules may apply until 1st September 2006; and, accordingly, any certificate, approval or declaration issued, given or made in accordance with Parts III to VI shall be valid notwithstanding that the vehicle does not comply with those requirements.

(3) The requirements referred to in paragraph (2) are those specified in—

- (a) paragraph 5(3)(b) to (e) of Schedule 1 (boarding lifts and ramps); and
- (b) paragraphs 7(3)(c) and 4(c) of Schedule 3 (to the extent that they apply to a route number display and destination display fitted in accordance with paragraph 7(1)(b) of that Schedule).

(1) 1967 c. 37 (N.I.); section 10B was inserted by S.I.1990/994 (N.I. 7), Article 3

Recognition of EEA equivalent requirements

5. Where there is produced to the Department evidence that satisfies it that a regulated public service vehicle has been found by the competent authority of another EEA State to conform with requirements that are equivalent to all, or some of the requirements prescribed for that vehicle under these Regulations, that vehicle shall, by virtue of that evidence, be regarded as conforming with those (and only those) requirements for the purposes of these Regulations.