



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Taxis

35 Exemption from taxi accessibility regulations

- (1) The Secretary of State may make regulations (“exemption regulations”) for the purpose of enabling any relevant licensing authority to apply to him for an order (an “exemption order”) exempting the authority from the requirements of section 34.
- (2) Exemption regulations may, in particular, make provision requiring a licensing authority proposing to apply for an exemption order—
 - (a) to carry out such consultations as may be prescribed;
 - (b) to publish the proposal in the prescribed manner;
 - (c) to consider any representations made to it about the proposal, before applying for the order;
 - (d) to make its application in the prescribed form.
- (3) A licensing authority may apply for an exemption order only if it is satisfied—
 - (a) that, having regard to the circumstances prevailing in its area, it would be inappropriate for the requirements of section 34 to apply; and
 - (b) that the application of section 34 would result in an unacceptable reduction in the number of taxis in its area.
- (4) After considering any application for an exemption order and consulting the Disabled Persons Transport Advisory Committee and such other persons as he considers appropriate, the Secretary of State may—
 - (a) make an exemption order in the terms of the application;
 - (b) make an exemption order in such other terms as he considers appropriate; or
 - (c) refuse to make an exemption order.

Status: This is the original version (as it was originally enacted).

- (5) The Secretary of State may by regulations (“swivel seat regulations”) make provision requiring any exempt taxi plying for hire in an area in respect of which an exemption order is in force to conform with provisions of the regulations as to the fitting and use of swivel seats.
- (6) The Secretary of State may by regulations make provision with respect to swivel seat regulations similar to that made by section 34 with respect to taxi accessibility regulations.
- (7) In this section—
- “exempt taxi” means a taxi in relation to which section 34(1) would apply if the exemption order were not in force;
 - “relevant licensing authority” means a licensing authority responsible for licensing taxis in any area of England and Wales other than the area to which the Metropolitan Public Carriage Act 1869 applies; and
 - “swivel seats” has such meaning as may be prescribed.