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STATUTORY INSTRUMENTS

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**1981 No. 257**

**The Public Service Vehicles (Conditions of Fitness,  
Equipment, Use and Certification) Regulations 1981**

**PART I**

**PRELIMINARY**

**Commencement and citation**

**1.** These Regulations shall come into operation on 1st April 1981 and may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981.

**Revocation**

**2.** The Regulations specified in column (1) of Schedule 1 are hereby revoked to the extent specified in column (2) of that Schedule.

**Interpretation**

**3.—(1)** In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“the Act” means the Road Traffic Act 1960;

“articulated bus” means a passenger vehicle so constructed that—

- (a) it can be divided into two parts, both of which are vehicles and one of which is a motor vehicle, but cannot be so divided without the use of facilities normally available only at a workshop; and
- (b) passengers carried by it when not so divided can at all times pass from either part to the other;

“certificate of conformity” means a certificate issued by the Minister in pursuance of section 130(2) of the Act;

“certificate of initial fitness” has the same meaning as in section 17 of the Transport Act 1980;

“the Commissioners” means the traffic commissioners for any traffic area constituted for the purposes of Part III of the Act;

“deck” means a floor or platform upon which seats are provided for the accommodation of passengers;

“double-decked vehicle” means a vehicle having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

“ECE Regulation 36” means Regulation No. 36 (uniform provisions concerning the construction of public service vehicles) which entered into force on 1st March 1976, annexed to the Agreement concerning the adoption of uniform conditions of approval and reciprocal

recognition of approval for motor vehicle equipment and parts concluded at Geneva on 20th March 1958<sup>(1)</sup> as amended<sup>(2)</sup>, to which the United Kingdom is a party<sup>(3)</sup>;

“emergency exit” means an exit which is provided for use only in case of emergency;

“entrance” means any aperture or space provided to enable passengers to board the vehicle;

“exit” means any aperture or space provided to enable passengers to leave the vehicle;

“gangway” means the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat or row of seats which is required only for the use of passengers occupying that seat or that row of seats;

“half-decked vehicle” means any vehicle not being a single-decked vehicle or a double-decked vehicle;

“permanent top” means any covering of a vehicle other than a hood made of canvas or other flexible material which is capable of being readily folded back so that no portion of such hood or any fixed structure of the roof remains vertically above any part of any seat of the vehicle, or, in the case of a double-decked vehicle, of any seat on the upper deck of the vehicle;

“registered” in relation to a vehicle, means registered under the Roads Act 1920 or, as the case may be, the Vehicles (Excise) Act 1949, the Vehicles (Excise) Act 1962 or the Vehicles (Excise) Act 1971 and references to a vehicle being registered are references to the date on which it was first so registered;

“safety glass”, “safety glazing” and “specified safety glass” have the same meanings as are respectively, assigned to them in Regulation 26(12) of the Motor Vehicles (Construction and Use) Regulations 1978<sup>(4)</sup>;

“single-decked vehicle” means a vehicle on which no part of a deck or gangway is placed vertically above another deck or gangway;

“type approval certificate” means a certificate issued by the Minister in pursuance of section 130(1) of the Act;

“vehicle” means a public service vehicle within section 2(1)(a) of the Transport Act 1980; and

“vehicle in the service of a visiting force or headquarters” has the same meaning as in Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965.

(2) For the purpose of these Regulations, the date when a motor vehicle is first used shall be taken to be such date as is the earlier of the undermentioned relevant dates applicable to that vehicle, that is to say—

(a) in the case of a vehicle registered under the Roads Act 1920, the Vehicles (Excise) Act 1949, the Vehicles (Excise) Act 1962 or the Vehicles (Excise) Act 1971 the relevant date is the date on which it was first so registered; and

(b) in each of the following cases, that is to say—

(i) in the case of a vehicle which is being or has been used under a trade licence within the meaning of section 16(1) of the Vehicles (Excise) Act 1971 (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

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(1) Cmnd. 2535.

(2) Cmnd. 3562.

(3) By Instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.

(4) the relevant amending instrument is S.I. 1978/1234.

- (ii) in the case of a vehicle belonging, or which has belonged, to the Crown which is or was used or appropriated for use for naval, military or air force purposes;
  - (iii) in the case of a vehicle belonging, or which has belonged, to a visiting force or a headquarters within the meaning of Article 3 of the Visiting Forces and International Headquarters (Application of Law) Order 1965;
  - (iv) in the case of a vehicle which has been used on roads outside Great Britain and which has been imported into Great Britain; and
  - (v) in the case of a vehicle which has been used otherwise than on roads after being sold or supplied by retail and before being registered,
- the relevant date is the date of manufacture of the vehicle.

In case (v) above “sold or supplied by retail” means sold or supplied otherwise than to a person acquiring the vehicle solely for the purpose of resale or re-supply for valuable consideration.

- (3) Unless the context otherwise requires, any references in these Regulations—
  - (a) to a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations, and
  - (b) to a numbered paragraph is to the paragraph bearing that number in the Regulation in which the reference occurs.

(4) The provisions of the Regulations in Part IV of these Regulations are in addition to, and not in derogation of, the provisions of any other Regulations made or having effect as if made under section 40 of the Road Traffic Act 1972.

### **Exemption for Crown and visiting force vehicles**

4. The Regulations in Part IV of these Regulations do not apply to any vehicle in the public service of the Crown or in the service of a visiting force or headquarters.

## **PART II**

### **REGULATIONS RELATING TO THE CONDITIONS AS TO FITNESS OF PUBLIC SERVICE VEHICLES**

#### **Conditions of fitness**

5.—(1) Except as provided in paragraph (2), the prescribed conditions as to the fitness of a vehicle are for the purposes of the issue of a certificate of initial fitness in accordance with section 17(1) of the Transport Act 1980 compliance with the provisions specified in the Regulations in this Part of these Regulations.

- (2) Paragraph (1) shall not apply to—
  - (a) an articulated bus, or
  - (b) a vehicle to which there is applied a marking designated as an approval mark in relation to ECE Regulation 36 by Regulation 4 of, and Schedule 2 (at item 36) to, the Motor Vehicles (Designation of Approval Marks) Regulations 1979(5) as read with paragraphs 1 and 7 of Schedule 3 to those Regulations and which satisfies the requirements of paragraph 5 (Specifications) of ECE Regulation 36.

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(5) to which there are amendments not relevant to these Regulations.

(3) The prescribed conditions as to the fitness of a vehicle mentioned in subparagraph (a) or (b) above are compliance with the provisions specified in—

- (i) paragraph 5 of ECE Regulation 36, and
- (ii) those of the Regulations contained in this Part of these Regulations, or the paragraphs thereof, which are specified in Schedule 3.

### **Stability**

6.—(1) The stability of a vehicle shall be such that—

- (a) in the case of a double-decked vehicle, the point at which overturning occurs would not be passed if, when the vehicle is complete, fully equipped for service and loaded with weights placed in the correct relative positions to represent the driver, a full complement of passengers on the upper deck only and a conductor (if carried), the surface on which the vehicle stands were tilted to either side to an angle of 28 degrees from the horizontal; and
- (b) in the case of a single-decked vehicle and of a half-decked vehicle, the point at which overturning occurs would not be passed if, when the vehicle is complete, fully equipped for service and loaded with weights placed in the correct relative positions to represent a driver, a full complement of passengers and a conductor (if carried), the surface on which the vehicle stands were tilted to either side to an angle of 35 degrees from the horizontal.

(2) For the purpose of ascertaining whether the requirements of paragraph (1) have been complied with, the height of any stop used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted and that part of the rim of that wheel which is nearest to that surface when the vehicle is loaded in accordance with the said requirements.

(3) For the purposes of this Regulation 63.5 kilograms shall be deemed to represent the weight of one person.

### **Suspension**

7.—(1) Subject to paragraph 1 of Schedule 2, every vehicle shall—

- (a) be fitted with an efficient suspension system so designed and constructed that there is no excessive body sway, and
- (b) be so constructed or adapted that a failure of a spring, torsion bar or other resilient component of the suspension system is not likely to cause the driver to lose directional control of the vehicle.

(2) For the purpose of this Regulation a tyre shall not be regarded as forming part of the suspension system.

### **Guard rails**

8. If any two wheels on either side of a vehicle have a clear space of more than 610 millimetres between the nearest points that space shall be effectively guarded to within—

- (i) 230 millimetres of the front wheel,
- (ii) 155 millimetres of the rear wheel, and
- (iii) 310 millimetres of the ground when the vehicle is carrying no passengers and is otherwise unladen and is standing on level ground.

## Brakes

9.—(1) Subject to paragraph 2 of Schedule 2 and to paragraphs (2), (4) and (6), all brakes with which a vehicle is required to be fitted shall act directly on the wheels of the vehicle and not through the transmission gear.

(2) Paragraph (1) shall not apply to a brake operated by a hand lever without the intervention of any hydraulic, electric or pneumatic device if—

- (a) no universal joint is interposed between any such brake and the wheel or wheels so braked;
- (b) the failure of any part through or by means of which the force necessary to apply the brake to any wheel is transmitted would not cause that wheel to become detached from the vehicle; and
- (c) all the wheels of the vehicle are fitted with brakes all of which are operated by one means of operation.

(3) Subject to paragraphs (4) and (6), the brakes of one of the braking systems with which a vehicle is required to be fitted shall be applied by pedal.

(4) Paragraphs (1) and (3) shall not apply in the case of a vehicle in respect of which—

- (a) a type approval certificate has been issued by the Minister under Regulation 5 of the Motor Vehicles (Type Approval) Regulations 1980 (which provides for the issue of such a certificate in respect of a vehicle which is approved as a type vehicle where it conforms to certain requirements as to design, construction, equipment and marking) or by the competent authority of any Member State other than the United Kingdom under a provision of the law of that State which corresponds to the said Regulation 5; or
- (b) a certificate of conformity has been issued by the manufacturer of the vehicle under Regulation 6 of those Regulations (which provides for the issue of such a certificate in respect of a vehicle where it is manufactured so as to conform with a type vehicle in respect of such of the said requirements as apply in relation to that vehicle) or under a provision of the law of any Member State other than the United Kingdom which corresponds to the said Regulation 6,

where the type approval certificate or, as the case may be, the certificate of conformity in question has been issued by reason of the vehicle's conforming to the requirements of a Community Directive specified in column 2 of the Table set out below and where the vehicle is first used on or after the date specified opposite to that Directive in column 3 of the said Table.

**TABLE**

<i>Item No.</i>	<i>The Community Directive to the requirements of which the vehicle must conform</i>	<i>Date on or after which the vehicle is first used</i>
1.	Council Directive <a href="#">71/320/EEC</a> of 26th July 1971 <sup>(6)</sup> (relating to the braking devices of certain categories of motor vehicles and their trailers)	1st July 1973
2.	Council Directive <a href="#">71/320/EEC</a> of 26th July 1971 as amended by Commission Directive <a href="#">74/132/EEC</a> of 11th February 1974	1st October 1974
3.	Council Directive <a href="#">71/320/EEC</a> of 26th July 1971 as amended by Commission Directives	1st January 1976

(6) (SE 1971 (III), p. 746).

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<i>Item No.</i>	<i>The Community Directive to the requirements of which the vehicle must conform</i>	<i>Date on or after which the vehicle is first used</i>
	74/132/EEC of 11th February 1974 and 75/524/EEC of 25th July 1975	
4.	Council Directive 71/320/EEC of 26th July 1971 as amended by Commission Directive 74/132/EEC of 11th February 1974, 75/524/EEC of 25th July 1975 and 79/489/EEC of 18th April 1979(7)	1st January 1980

(5) In paragraph (4) “Member State” has the same meaning as in Regulation 3(1) of the said Regulations of 1980.

(6) Paragraphs (1) and (3) shall not apply in the case of a vehicle which is legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979(8) and shown at item 13 or 13A in Schedule 2 to those Regulations.

#### **Brake and steering connections**

**10.**—(1) Subject to paragraph (2), where brake and steering connections are secured with bolts or pins the bolts or pins shall be threaded and effectively locked and all connections made with bolts or pins shall be such that when they are in any position other than horizontal the head of the bolt or pin shall be uppermost.

(2) The requirements of paragraph (1) in so far as they relate to brake connections shall not apply in the case of any such vehicle as is mentioned in paragraph (4) of Regulation 9 in the circumstances there mentioned or in paragraph (6) of that Regulation in the circumstances there mentioned.

#### **Locking of nuts**

**11.**—(1) Subject to paragraph (2), all moving parts of a vehicle and all parts subject to severe vibration which are connected by bolts or studs and nuts shall be fastened by lock nuts or by nuts and efficient spring or lock nut washers or by castellated nuts and split pins or by some other efficient device to prevent their working or coming loose.

(2) The requirements of paragraph (1) above in so far as they relate to brake connections shall not apply in the case of any such vehicle as is mentioned in paragraph (4) of Regulation 9 in the circumstances there mentioned or in paragraph (6) of that Regulation in the circumstances there mentioned.

#### **Steering**

**12.** Steering mechanism shall be so constructed or arranged that no overlock shall be possible and that the wheels shall not in any circumstances foul any part of the vehicle.

#### **Fuel tanks, carburettors, etc**

**13.**—(1) Subject to paragraph 3 of Schedule 2—

- (a) in the case of a single-decked vehicle which has a seating capacity exceeding 12 passengers, a half-decked vehicle or the lower deck of a double-decked vehicle, no fuel

(7) O.J. L128, 26.5.1979, p. 12

(8) , as amended by S.I. 1980/582.

tank shall be placed under any part of any gangway or under any part of any passage leading to a primary emergency exit as defined in Regulation 21(1) if that part of the gangway or passage is within 600 millimetres of any entrance or exit not being an emergency exit other than a primary emergency exit;

- (b) in the case of a single-decked vehicle which has a seating capacity not exceeding 12 passengers, no fuel tank shall be placed immediately under any entrance or exit or within 300 millimetres of any entrance or exit and no filling point for such a tank shall be situated at the rear of the vehicle;
- (c) no part of any fuel tank or apparatus for the supply of fuel shall be placed in the compartments or other spaces provided for the accommodation of the driver or passengers; and
- (d) a device shall be provided by means of which the supply of fuel to any carburettor or, in the case of a fuel injection pump, to the injection nozzles, can be readily cut off and the following requirements shall be complied with—
  - (i) the means of operation shall at all times be readily accessible from outside the vehicle and, except in the case of a vehicle fitted with an engine having a fuel injection system, shall be readily visible from the outside of the vehicle; and
  - (ii) in a case where the device is so visible, the “off” position of the means of operation thereof shall be clearly marked also on the outside of the vehicle, and in a case where the said device is not so visible, its position shall be clearly marked on the outside of the vehicle and the means of operation shall also be clearly indicated.

(2) All fuel tanks and all apparatus supplying fuel to the engine shall be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any woodwork forming part of the vehicle or upon any other part of the vehicle or fitting thereto such that it might readily be ignited or that it can fall into any receptacle where it might accumulate.

(3) The filling points for all fuel tanks shall be accessible only from the outside of the vehicle and filler caps shall be so designed and constructed that they cannot be dislodged by accidental operation and any vent hole shall be protected from danger of penetration by fire and shall be so designed as to prevent fuel from being ejected by splashing.

### **Exhaust pipe**

14. The exhaust pipe shall be so fitted or shielded that no inflammable material can fall or be thrown upon the pipe from any other part of the vehicle and so that it is not likely to cause a fire through proximity to any inflammable material on the vehicle, and the outlet of the pipe shall be either at the rear or on the offside and far enough to the rear, to prevent so far as practicable fumes from entering the vehicle.

### **Luggage racks**

15. All luggage racks fitted in a vehicle shall be so designed and constructed that any article placed thereon, if it becomes dislodged whilst the vehicle is in motion, is not likely to fall on the driver or interfere with his control of the vehicle.

### **Artificial lighting**

16. Subject to paragraph 4 of Schedule 2, adequate internal lighting shall be provided in every vehicle for the illumination—

- (a) of each deck having a permanent top; and
- (b) of any step or platform forming part of any entrance or exit other than an emergency exit;

and all lighting circuits shall be so arranged that an electrical failure of any lighting sub-circuit shall not be capable of extinguishing all the lights on any deck and at least one lamp shall be provided as near as practicable to the top of every staircase leading to an upper deck not having a permanent top.

### **Electrical equipment**

**17.**—(1) All electrical apparatus and circuits in a vehicle shall be so constructed and installed as to guard adequately against the risk of electric shock or the outbreak of fire.

(2) Subject to paragraph 5 of Schedule 2, where the voltage exceeds 100 volts in one or more electrical circuits in a vehicle, a manually operated isolating switch which is capable of disconnecting all such circuits from the main electrical supply shall be connected in each pole of that supply which is not electrically connected to earth, and shall be located inside the vehicle in a position readily accessible to the driver or conductor:

Provided that no such isolating switch shall be capable of disconnecting any electrical circuit supplying the lamps carried for the purposes of section 68 of the Road Traffic Act 1972 (which provides for lights to be carried by vehicles during the hours of darkness).

(3) In this Regulation any reference to an electrical circuit is a reference to an electrical circuit not being a high tension ignition circuit or a circuit within a unit of equipment.

### **Body**

**18.** The body of a vehicle shall be securely fixed to the chassis, every trap door in the floor of a vehicle shall be so fitted or fastened that it cannot become dislodged by vibration, and no lifting device fitted to a trap door shall project above the level of the floor.

### **Height of sides of body**

**19.**—(1) Subject to paragraph 6 of Schedule 2, the top of the side rails or panels of a vehicle not having a permanent top shall be at least 910 millimetres above the deck and at least 455 millimetres above the highest part of any passenger seat, and the top of the front and back rails or panels shall be at least 1.21 metres above any part of the deck.

(2) For the purposes of this Regulation a back rest shall not be deemed to be part of a seat, and the expression “deck”, in relation to a vehicle with more than one deck, means the upper deck.

### **Steps, platforms and stairs**

**20.** Subject to paragraph 7 of Schedule 2—

- (a) a platform from which passengers can step directly to the ground through an exit without any step intervening, or the top of the tread of the lowest step provided at any entrance or exit, other than an emergency exit, shall not be more than 435 millimetres above the ground when the vehicle is empty; all steps and the outer edge of any platform shall be fitted with non-slip treads; and fixed steps shall be not less than 225 millimetres wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected by the front wings of the vehicle or otherwise are such that they are not liable to injure pedestrians; and
- (b) in the case of a double-decked vehicle—
  - (i) the risers of all steps leading from the lower to the upper deck shall be closed and no unguarded aperture shall be left at the top landing board;
  - (ii) all steps leading from the lower to the upper deck shall be fitted with non-slip treads;



- (iii) the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase, excluding any grab rail which does not project more than 105 millimetres from the back of the seat, shall not be less than 660 millimetres; and
- (iv) the outer stringer of an outside staircase shall be constructed, or a band shall be placed, to act as a sufficient screen to persons ascending or descending, and the height of the outer guard rail shall not be less than 1.21 metres above the front of the tread of each step.

### **Number, position and size of entrances and exits**

**21.**—(1) For the purposes of this Regulation and Regulations 13, 22, 23, 24, 25 and 26—

- (a) “primary emergency exit” means an emergency exit being an exit provided in a single-decked vehicle or in the lower deck of a double-decked vehicle which, subject to paragraph 8 of Schedule 2—
  - (i) is situated so that passengers can step directly from the passage referred to in Regulation 26(1)(g) to the outside of the vehicle,
  - (ii) has a clear height—
    - (A) in the case of a vehicle which has a seating capacity not exceeding 14 passengers, of not less than 1.21 metres, and
    - (B) in the case of any other vehicle, of not less than 1.37 metres,
  - (iii) has a width of not less than 530 millimetres;
- (b) “secondary emergency exit” means an emergency exit of which the dimensions are not less than 910 millimetres by 530 millimetres and which does not satisfy all the requirements of a primary emergency exit and which is not in the roof of a vehicle;
- (c) neither of the foregoing definitions shall apply in relation to an emergency exit as required by paragraphs (7) and (8) but the exit so required shall be of dimensions not less than 1.52 metres by 455 millimetres;
- (d) references to the seating capacity of a vehicle shall, in the case of a double-decked vehicle, be treated as references to the seating capacity of its lower deck;
- (e) references to the distance between the centres or between the nearest points of the openings of two exits in a vehicle are references to the distance between lines drawn at right-angles to the longitudinal axis of the vehicle and passing respectively through the centres or, as the case may be, the nearest points of the openings of the exits at gangway level; and
- (f) the reference to the distance between the centre of an exit placed at the front end of a vehicle and the foremost part of the vehicle is a reference to the distance between lines drawn at right-angles to the longitudinal axis of the vehicle and passing through the centre of that exit and the said foremost part and the reference to the distance between the centre of an exit placed at the rear end of a vehicle and the rearmost part of the vehicle is a reference to the distance between lines drawn as aforesaid and passing through the centre of that exit and the said rearmost part.

(2) In this Regulation—

- (a) “pre-October 1981 vehicle” means a vehicle manufactured before 1st October 1981 or first used before 1st April 1982; and
- (b) “post-October 1981 vehicle” means a vehicle manufactured on or after 1st October 1981 and first used on or after 1st April 1982.

(3) Subject to paragraph 8 of Schedule 2, the following provisions of this Regulation shall apply with respect to the number and position of entrances and exits which shall be provided in a vehicle but a vehicle shall not be treated as failing to comply with any of those provisions by reason only that a number of exits is provided in a vehicle in excess of the number specified in relation to it by any provision of this Regulation.

(4) Subject to paragraphs (5) and (11), a vehicle which has a seating capacity for not more than 45 passengers shall be provided with two exits so placed as not to be on the same side of the vehicle, and

- (a) in the case of a pre-October 1981 vehicle, one of which may be a primary emergency exit but neither of which shall be a secondary emergency exit;
- (b) in the case of a post-October 1981 vehicle, one of which shall be a primary emergency exit and the other of which shall have dimensions which are not less than those specified in paragraph (1)(a) above in relation to a primary emergency exit:

Provided that this paragraph shall not apply in the case of a vehicle which has a seating capacity—

- (i) exceeding 23 passengers and which is provided with an exit by virtue of its having a platform of a type described in Regulation 20(a) which communicates with a deck (being in the case of a double-decked vehicle, the lower deck) by means of a doorless opening and has a doorless opening on the nearside of the vehicle continuous with another such opening at the rear of the vehicle, these openings serving together as a means of entrance to or exit from the vehicle, and
- (ii) not exceeding 12 passengers and of which the fuel tank is not placed behind the rear wheels if one exit of which, in the case of a post-October 1981 vehicle, the dimensions are not less than 1.21 metres in height by 530 millimetres in width is provided and is placed at the rear of the vehicle.

(5) Where the exits provided in accordance with paragraph (4) are so placed that the distance between their centres is—

- (a) in the case of a vehicle first used before 1st January 1974 which has a seating capacity exceeding 30 passengers, less than 3.05 metres;
- (b) in the case of a vehicle first used on or after 1st January 1974 which has a seating capacity exceeding 23 passengers, less than 3.05 metres;
- (c) in the case of a vehicle first used on or after 1st January 1974 which has a seating capacity exceeding 14 but not exceeding 23 passengers, less than 2.44 metres,  
a primary or secondary emergency exit shall be provided and placed so that there is a distance between the nearest points of the openings of that exit and one of the two exits mentioned in paragraph (4) of—
  - (i) in the cases mentioned in sub-paragraphs (a) and (b) above, not less than 3.05 metres, and
  - (ii) in the case mentioned in sub-paragraph (c) above, not less than 2.44 metres.

(6) Subject to paragraph (11), a vehicle which has a seating capacity exceeding 45 passengers shall be provided with three exits in respect of which the following provisions shall apply:—

- (a) in the case of a pre-October 1981 vehicle one of the exits, but not more than one, may be a secondary emergency exit, and in the case of a post-October 1981 vehicle one of the exits shall be a primary emergency exit and any other exit (not being a secondary emergency exit) shall have dimensions not less than those specified in paragraph (1)(a) above in relation to primary emergency exits;
- (b) two of the exits (neither being a secondary emergency exit) shall be so placed as not to be on the same side of the vehicle;

- (c) where two exits are placed on the same side of the vehicle, the distance between their centres shall not be less than 3.05 metres; and
- (d) one of the exits (not being a secondary emergency exit) shall be placed at the front end of the vehicle so that the distance between its centre and the foremost part of the vehicle is not more than 3.05 metres and another of the exits (not being a secondary emergency exit) shall be placed at the rear end of the vehicle so that the distance between its centre and the rearmost part of the vehicle is not more than 3.05 metres:

Provided that—

- (i) in the case of a vehicle registered on or after 28th October 1964 and before 19th June 1968 the reference in sub-paragraph (c) above to 3.05 metres shall be replaced by a reference to 4.75 metres and sub-paragraph (d) shall not apply, and
- (ii) in the case of any other vehicle first used before 1st January 1974 sub-paragraph (d) above shall apply with the omission of the words “(not being a secondary emergency exit)” in both places where they occur.

(7) In the case of a half-decked vehicle an emergency exit shall be provided in the roof of the vehicle so placed that the transverse centre line of that exit lies within 610 millimetres of the mid-point between the front edges of the foremost and of the rearmost passenger seats in the vehicle.

(8) Where, in the case of a double-decked vehicle which has a permanent top, access to the upper-deck is obtained by means of an enclosed staircase, an emergency exit shall be provided on that deck and placed otherwise than on the nearside of the vehicle.

(9) Every entrance provided in a vehicle shall be placed on the nearside of the vehicle, but one or more entrances may be provided on the offside of the vehicle if—

- (a) as respects any entrance so provided it is not also an exit provided in accordance with any of the foregoing provisions in this Regulation;
- (b) every such entrance is fitted with a door which can be controlled only by the driver while sitting in his seat; and
- (c) the device available to the driver for opening or closing that door is a separate and readily distinguishable device from that available to the driver for opening or closing any door fitted to the nearside of the vehicle:

Provided that this paragraph shall not apply in the case of any such vehicle as is mentioned in the proviso to paragraph (4).

(10) A grab handle shall be fitted to every entrance and exit (other than an emergency exit) to assist passengers to board or alight from the vehicle.

(11) In the case of a vehicle—

- (a) being a post-October 1981 vehicle,
- (b) having a seating capacity for more than 16 passengers, and
- (c) being a single-decked vehicle or a half-decked vehicle,

there shall be at least one emergency exit which complies with the requirements specified in paragraph (12) and which is either—

- (i) in the front face of the vehicle, or
- (ii) in the rear face of the vehicle, or
- (iii) in the roof of the vehicle.

(12) The requirements referred to in paragraph (11) are, in respect of each exit therein referred to, as follows:—

- (a) the dimensions of the aperture shall be such that it has a total area of not less than 4,000 square centimetres and shall include a rectangular area the dimensions of which are not less than 70 centimetres by 50 centimetres;
- (b) the exit shall be so constructed that it can be opened by means available to persons inside the vehicle, and it may be so constructed that it can be opened also by persons outside the vehicle; and
- (c) the exit shall be—
  - (i) ejectable, or
  - (ii) constructed of specified safety glass which can be readily broken by the application of reasonable force so as to afford a clear aperture having the dimensions referred to in subparagraph (a) above, and provided in a position adjacent to the exit with a suitable means, readily available to persons inside the vehicle, for breaking the glass, or
  - (iii) except where the exit is an exit in the roof, hinged.

### **Width of entrances and exits**

**22.**—(1) The width of every entrance and exit (other than a secondary emergency exit, an emergency exit provided in accordance with Regulation 21(7), (8) and (11) or an exit referred to in paragraph (2), shall—

- (a) (save as provided in paragraph (3)) in the case of an entrance or an exit which serves both decks of a double-decked vehicle (disregarding any stanchion), being an entrance or an exit which is either—
  - (i) the only such entrance or exit in the vehicle, or
  - (ii) the entrance or exit most readily and directly associated with a staircase serving the upper deck,be not less than 910 millimetres; and
- (b) in any other case, be not less than 530 millimetres.

(2) The requirements specified in paragraph (1) shall not apply in the case of an exit referred to in paragraph (i) of the proviso to Regulation 21(4) if the width of that exit measured along the side of the vehicle is not less than 530 millimetres and its width measured along the rear of the vehicle is not less than 455 millimetres.

(3) A vehicle shall not be regarded as failing to fulfil condition (a) of paragraph (1) by reason only of the fact that, in a case where the entrance or exit is fitted with a pair of power operated doors, one door may be opened independently of the other, if the width of the aperture thereby provided is not less than 530 millimetres and if the doors are capable of being opened together by means of the devices required by Regulation 23(1)(b).

### **Doors**

**23.**—(1) Subject to paragraph 9 of Schedule 2 and paragraph (4) the following conditions shall be complied with in the case of every vehicle:—

- (a) means shall be provided for holding every entrance and exit door securely in the closed position and, where any such door is capable of remaining open when the vehicle is in motion or of being accidentally closed by the movement of the vehicle, means shall also be provided for holding that door securely in the open position;
- (b) subject to paragraph (2), every entrance and exit door shall be provided with at least two devices (of which one may be a device provided for use in circumstances of normal

operation only by a person authorised by the owner of the vehicle, and one, but not more than one, shall be provided on the outside of the vehicle) being in each case a device for operating the means for holding the door securely in the closed position, and every such device shall be so designed that a single movement of it will allow that door to be readily opened;

- (c) the method of operation of any device mentioned in condition (b) above, the position of such a device where it is not placed on the door and the direction and points of application of any manual effort required to open any door, shall be clearly indicated; and there shall, in the case of a power-operated door, also be an indication that the said device may not be used by passengers except in an emergency;
- (d) where any device mentioned in condition (b) above is not placed on the door, it shall be placed so as to be readily associated with that door and so that a person of normal height may conveniently operate the device without risk of being injured by movement of the door;
- (e) in the case of every entrance and exit, any device mentioned in condition (b) above, other than such a device provided on the outside of an emergency exit on the upper deck of a double-decked vehicle or in the roof of a vehicle, shall be easily accessible to persons of normal height;
- (f) the means and devices mentioned in conditions (a) and (b) above shall be so designed and fitted that they are unlikely to become dislodged or be operated accidentally but there shall be in the vehicle no means of a mechanical nature the operation of which would prevent the devices mentioned in the said condition (b) (devices for allowing entrance and exit doors to be opened in an emergency) when deliberately used, from allowing the entrance or exit doors for which they are provided to be readily opened;
- (g) every door shall operate so as not to obstruct clear access to any entrance or exit from inside or outside the vehicle;
- (h) being a vehicle having a power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by more than 80 millimetres, shall be so constructed or adapted that it cannot move from rest under its own power when the door is open, and the door shall not be capable of being operated while the vehicle is in motion, except by the operation of such a device as is mentioned in condition (b) above;
- (i) the storage and transmission system of the power for operating any power-operated door shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle and the apparatus shall be so designed and constructed that in the event of the system becoming inoperative the door shall be capable of being operated manually from inside and outside the vehicle; and
- (j) the design of power-operated doors and their associated equipment at entrances and exits shall be such that, when opening or closing, the doors are unlikely to injure any passengers, and the vertical edges of any power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by not more than 80 millimetres and which is installed in a vehicle not constructed or adapted as mentioned in condition (h) above, shall be fitted with soft rubber.

(2) A vehicle shall not be deemed to fail to comply with condition (b) or (f) of paragraph (1) by reason only of the fact that, for the purposes of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if the lock is so designed and constructed that a single movement of any device mentioned in condition (b) above, being a device provided on the inside of the vehicle, will at all times allow that door to be readily opened.

(3) In determining for the purposes of conditions (h) and (j) of paragraph (1) whether, or the distance by which, a power-operated door, when open or being operated, projects laterally beyond the body of the vehicle at its widest point any moulding on the outside of the vehicle shall be disregarded.

(4) The references to exits in paragraph (1) do not include an emergency exit provided in accordance with the provisions of Regulation 21(11) unless such exit is a primary emergency exit or a secondary emergency exit.

### **Marking, positioning and operation of emergency exits**

**24.—**(1) Subject to the provisions of paragraph 10 of Schedule 2, every emergency exit, other than an emergency exit with which a vehicle is required to be fitted under Regulation 21(11) shall comply with the following conditions—

- (a) the emergency exit shall—
  - (i) be clearly marked as such inside and outside the vehicle;
  - (ii) be fitted with doors which open outwards or, in the case of a secondary emergency exit, be constructed of specified safety glass which can be readily broken by the application of reasonable force so as to afford a clear aperture of dimensions not less than those referred to in Regulation 21(1)(b);
  - (iii) except in the case of an emergency exit provided in the roof of a vehicle, be readily accessible to passengers;
  - (iv) in the case of a single-decked or half-decked vehicle or the lower deck of a double-decked vehicle, be so situated that passengers can step directly from the passage referred to in Regulation 26(1)(g) to the outside of the vehicle:  
Provided that this requirement shall not apply in the case of an emergency exit provided in the roof of the vehicle or in the case of a secondary emergency exit;
- (b) the means of operation of doors fitted to the emergency exit shall be clearly indicated;
- (c) the doors of the emergency exit shall not be fitted with any system of power operation; and
- (d) the means of operation of the doors of the emergency exit, other than those provided in the upper deck of a double-decked vehicle or in the roof of a vehicle, shall be readily accessible to persons of normal height standing at ground level outside the vehicle.

(2) Every emergency exit with which a vehicle is required to be fitted under Regulation 21(11) shall—

- (a) be clearly marked as an emergency exit—
  - (i) on the inside of the vehicle, and
  - (ii) in a case where the emergency exit can be opened from the outside, on the outside of the vehicle;
- (b) be accessible to persons inside the vehicle when the vehicle is tilted to either side through an angle of 90 degrees, measured from the normal vertical plane of the vehicle;
- (c) be clearly marked with its means of operation;
- (d) if hinged, open outwards; and
- (e) if ejectable, be fitted with a restraint which will prevent the part of the emergency exit which is ejected from becoming completely detached from the vehicle but which will not prevent egress from the vehicle by persons within it.

### Access to exits

**25.**—(1) Subject to paragraphs (2) and (3) the following conditions shall be complied with in the case of every vehicle—

- (a) there shall be unobstructed access from every seat in the vehicle—
    - (i) in a case where the vehicle is, in accordance with the provisions of these Regulations, provided with only one exit, to that exit, and
    - (ii) in a case where the vehicle is, in accordance with those provisions, provided with two or more exits, to both or, as the case may be to at least two, of those exits;
  - (b) no seat in a vehicle shall be fitted to any door of the vehicle; and
  - (c) being a half-decked vehicle, there shall be no obstruction in the space between the floor in front of any passenger seat and the roof of the vehicle.
- (2) Condition (a) of paragraph (1) shall not apply in relation to—
- (a) any seat in a vehicle which is placed—
    - (i) beside the driver's seat if there is unobstructed access to that seat by means of an entrance other than the driver's entrance, or
    - (ii) on a deck which does not have a permanent top if there is unobstructed access from every seat on that deck to an exit; or
  - (b) an exit provided in accordance with the provisions of Regulation 21(11) unless such exit be a primary emergency exit or a secondary emergency exit.

(3) In the case of a double-decked vehicle as respects which provision is made for the placing of a barrier at the foot of the staircase leading to the upper deck, the vehicle shall not be treated as failing to comply with the requirements of the condition (a) of paragraph (1) by reason only that when that barrier is in position it would effectively prevent passengers from gaining access to the upper deck.

### Width of gangways

**26.**—(1) Subject to paragraph 11 of Schedule 2 and to paragraph (2), the following conditions shall be complied with in the case of every vehicle:—

- (a) the width of every gangway shall be not less than—
  - (i) 305 millimetres up to a height of 765 millimetres above the level of the deck of the vehicle,
  - (ii) 355 millimetres at heights exceeding 765 millimetres but not exceeding 1.22 metres above the level of the deck of the vehicle, and
  - (iii) 455 millimetres at heights exceeding 1.22 metres above the level of the deck of the vehicle;
- (b) a vertical line projected upwards from the centre line of any gangway at deck level shall, to the height prescribed in Regulation 27 as the height of that gangway, be laterally not less than 150 millimetres from any part of the vehicle other than the roof above the gangway;
- (c) being a vehicle which has a seating capacity exceeding 12 passengers, no part of any gangway which is within 910 millimetres of an entrance or exit (other than an emergency exit) to which it provides access shall be less than 530 millimetres in width; and
- (d) being a double-decked vehicle which has a seating capacity exceeding 12 passengers, one gangway in the vehicle which serves as a joint means of access—
  - (i) to both the upper and lower decks from any entrance, or
  - (ii) to any exit from both the upper and lower decks,

shall where it lies between an entrance or exit (other than an emergency exit) and a staircase, be, at every level, not less than 910 millimetres in width;

- (e) where a part of a gangway which adjoins an entrance or exit is divided by a handrail, the width of that part of the gangway at any point on each side of the handrail shall not be less than 455 millimetres;
- (f) where two seats (being either two seats each for one passenger only or two portions of a continuous seat, each of such portions being for one passenger only measured in accordance with condition (b) of Regulation 28(1)) are placed parallel to the longitudinal axis of a vehicle and face each other and the space between those seats is not required for the purpose of obtaining access from an entrance to any other seat or from any other seat to an exit (not being an emergency exit), that space shall not for the purposes of this Regulation and Regulation 27 be treated as forming part of the gangway;
- (g) between every exit, not being either—
  - (i) an emergency exit provided in the roof of a vehicle, or
  - (ii) an exit provided in accordance with the provisions of Regulation 21(11) unless it be a primary or secondary emergency exit,

and a gangway there shall be a passage—

- (A) of dimensions not less than those prescribed for a gangway in condition (a) of paragraph (1);
- (B) so designed that a vertical line projected upwards from the centre line of the passage at floor level to a height of 760 millimetres from the level of the deck is laterally not less than 150 millimetres from any part of the vehicle (excluding any cowling or cover which projects not more than 230 millimetres from the bulkhead of the vehicle into the passage at floor level and not more than 230 millimetres above the deck level and the provision of which is required by the projection of part of the chassis or mechanism of the vehicle into the body);
- (C) which has a clear height at every point along the centre line of the passage of 1.52 metres from the deck level:

Provided that—

- (i) for the purposes of sub-paragraphs A and B of this paragraph a seat placed below or in front of an emergency exit, being such an exit provided on the upper deck of a double-decked vehicle or in the roof of a vehicle or which is a secondary emergency exit within the meaning of Regulation 21 shall be deemed to form part of such a passage, and
- (ii) sub-paragraph C of this paragraph shall not apply in the case of a passage leading to an emergency exit, being such an exit provided on the upper deck of a double-decked vehicle or in the roof of a vehicle or which is a secondary emergency exit within the meaning of Regulation 21, nor shall it apply in the case of a passage in a single-decked vehicle having a permanent top if the vehicle has a seating capacity not exceeding 14 passengers.

(2) Subject to paragraph 11 of Schedule 2, where any space in front of a seat in a vehicle adapted to carry more than 12 passengers is required for the accommodation of seated passengers, the space within 225 millimetres of the seat shall not be taken into account in measuring the width of a gangway:

Provided that the provisions of this paragraph shall not apply in relation to paragraph (1)(d) above where—

- (i) the floor of the gangway is free of any obstruction; and
- (ii) there are no other intrusions into the gangway space above the level of the deck of the vehicle.



## Height of gangways

27.—(1) Subject to paragraph 12 of Schedule 2, the following conditions shall be complied with in the case of every vehicle adapted to carry more than 12 passengers—

- (a) the clear height at every point along the centre line of any gangway between the limits specified in paragraph (2) shall be—
  - (i) in the case of a single-decked vehicle being a vehicle having a permanent top, and in the case of a half-decked vehicle and the lower deck of a double-decked vehicle, not less than 1.77 metres if the seating capacity of the vehicle exceeds 14 passengers and not less than 1.6 metres in any other case, and
  - (ii) in the case of the top deck of a double-decked vehicle having a permanent top, not less than 1.72 metres;
- (b) except as respects any part of any gangway placed on the offside of the vehicle which is required only to provide access to the foremost passenger seat in the vehicle, the said clear height shall, outside the limits specified in paragraph (2), be not less than the clear height as prescribed in relation to the vehicle in condition (a) above reduced by 105 millimetres;
- (c) in the case of a single-decked vehicle not having a permanent top, when the hood of the vehicle is extended or raised, the said clear height from the level of the deck shall in no place (except over the driver's seat) be less than 1.52 metres;
- (d) in the case of the top deck of a double-decked vehicle, no part of any gangway shall project into the compartment or other space provided for the accommodation of the driver in such a manner as to incommode the driver or cause his view of the road to the front of the vehicle or to the sides thereof to be restricted.

(2) The clear height prescribed in condition (a) of paragraph (1) shall, in the case of the lower deck of a double-decked vehicle, extend throughout the gangway and in any other case shall extend from the front edge of the foremost passenger seat adjacent to the gangway to the front edge of the rearmost passenger seat adjacent to the gangway:

Provided that where the gangway is on the offside of the vehicle it shall be a sufficient compliance with the requirements of sub-paragraph (ii) of the said condition (a) if the clear height of 1.72 metres extends from a point 460 millimetres behind the front edge of the foremost passenger seat adjacent to that gangway to the front edge of the rearmost passenger seat adjacent thereto.

(3) In the case of a vehicle which has a seating capacity not exceeding 12 passengers, the clear height at every point along the centre line of any gangway in the vehicle, except for a distance of 305 millimetres along the line measured from each entrance and exit, shall be not less than 1.42 metres and, in the case of the said distance, shall be not less than 1.21 metres.

## Seats

28.—(1) Subject to paragraph 13 of Schedule 2, the following conditions shall be complied with in the case of every vehicle—

- (a) the supports of all seats shall be securely fixed in position;
- (b) a length of at least 400 millimetres measured horizontally along the front of each seat shall be allowed for the accommodation of a seated passenger:

Provided that in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, being arms so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this paragraph as though it were not fitted with arms;

- (c) every seat shall have a back rest so closed or otherwise constructed as to prevent, as far as practicable, the pockets of passengers from being picked;

- (d) all passenger seats shall be so fitted—
- (i) that the distance between any part of the back rest of any seat placed lengthwise and the corresponding part of the back rest of the seat facing it shall be, in the case of a vehicle which has a seating capacity not exceeding 12 passengers, not less than 1.37 metres, and in any other case, not less than 1.60 metres, and
  - (ii) that there is a clear space of at least 610 millimetres in front of the back rest of any seat measured from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with condition (b) above and a clear space of 200 millimetres in front of any part of that seat:
 

Provided that in the case of a seat for more than three passengers—

    - (a) in the case of a vehicle being used as a stage carriage, and
    - (b) in the case of any vehicle to which this regulation applies and which is first used on or after 1st April 1982

where access to that seat can be obtained only from one end of the seat, the said clear spaces shall respectively be at least 685 millimetres and 300 millimetres;
- (e) there shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it:
- Provided that any support provided for a table shall be disregarded if there is a clear space of at least 225 millimetres between that support and the front edge of the nearest seat and the support is not in such a position as to cause discomfort to passengers occupying the seats;
- (f) no seat shall be placed in such a position as to cause discomfort to passengers;
  - (g) there shall, as respects every seat, be a clear space measured vertically from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with condition (b) above which shall be, in the case of a vehicle which has a seating capacity not exceeding 12 passengers, not less than 910 millimetres, and, in any other case, not less than 965 millimetres;
  - (h) where any seat is so placed that a passenger seated upon it is liable to be thrown through any entrance to or exit from the vehicle or down a stairway in the vehicle, an effective screen or guard shall be placed so as to afford adequate protection against that occurrence to a passenger occupying that seat; and
  - (i) the shortest distance between the edge of the well of any step in the vehicle and a vertical plane passing through the front edge of any seat shall be not less than 225 millimetres:
 

Provided that this condition shall not apply in the case of the well of a step provided as a means of obtaining access only to any forward-facing front passenger seat placed alongside the driver in a vehicle which has a seating capacity not exceeding 12 passengers.
- (2) In this Regulation and in paragraph 13 of Schedule 2 the expression “back rest” includes any part of the vehicle which is available for seated passengers to lean against.

### **Passenger protection**

**29.**—(1) Subject to paragraph 14 of Schedule 2, all transverse glass windows or panels not made of safety glass or specified safety glass shall be adequately protected against the likelihood of breakage in the event of passengers being thrown against them.

(2) No emergency exit or ventilating panel (not being a window) shall be fitted to the roof of any vehicle manufactured on or after 1st October 1981 unless such exit or panel is constructed of metal, specified safety glass or safety glazing.

## Ventilation

30. Adequate ventilation shall be provided for passengers and the driver without the necessity for opening any main window or windscreen.

## Driver's accommodation

31. Subject to paragraph 15 of Schedule 2, the following conditions shall be complied with in the case of every vehicle—

- (a) the vehicle shall be so designed that the driver, when sitting in his seat, has adequate room and can readily reach and operate the controls;
- (b) the controls shall be so placed as to allow reasonable access to the driver's seat;
- (c) the accommodation for the driver shall be so arranged as to afford adequate protection from the weather;
- (d) means shall be provided to prevent light from the interior of the vehicle from incommoding the driver and, in respect of any window placed on that side of the centre line of the vehicle occupied by the driver, the means so provided shall be capable of being operated by the driver when in his seat;
- (e) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers, the driver's seat shall be capable of being and adjusted in a vertical direction and in a horizontal direction parallel to the longitudinal axis of the vehicle and of being firmly secured in any desired position within the limits of such adjustments: the range of such adjustments shall permit the seat to be fixed in a position such that the horizontal distance between the nearest part of the steering wheel and the backrest of the seat is 355 millimetres and the vertical distance between the lowest part of the steering wheel and the horizontal plane level with the top of the seat cushion is 200 millimetres and also as to permit the seat to be adjusted at least 50 millimetres forwards, backwards, upwards and downwards from that position;
- (f) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers where direct and reasonable access is provided to the driver's seat, such access shall be provided to that seat either from the offside of the vehicle or by means of a passage which shall be not less than 300 millimetres in width up to a height of 765 millimetres above the floor of the vehicle and not less than 355 millimetres above that height and shall comply with the requirement prescribed in relation to the gangway of the vehicle by condition (b) of Regulation 26(1);
- (g) where access to the driver's seat is obtained from the offside of the vehicle—
  - (i) an opening in the side of the vehicle shall be provided which shall have a clear width of not less than 455 millimetres except where this dimension cannot be provided by reason only of the presence of a portion of the wheel arch in that opening,
  - (ii) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers where direct and reasonable access is provided to the driver's seat, a grab handle shall be fitted to assist the driver in boarding and alighting from the vehicle, and
  - (iii) a step shall be provided on the vehicle at a convenient position and height adjacent to the opening if the lowest point of the sill of that opening is more than 690 millimetres from ground level when the vehicle is unladen;
- (h) where a separate and enclosed compartment is provided for the driver and access to the driver's seat is obtained from the offside of the vehicle, an emergency escape window shall be provided (otherwise than on the offside of that compartment) which shall be readily

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accessible to the driver and shall have a clear opening with the dimensions of not less than 530 millimetres by 455 millimetres;

- (i) where any seat for a passenger is placed to the side of the driver's seat (whether to one side or to both sides of that seat and whether or not that seat is continuous with the driver's seat) then—
- (i) whether the seat is a separate seat or is continuous with the driver's seat, a space of at least 455 millimetres measured from the centre of the steering column on the side on which the seat is placed shall be reserved for use solely by the driver, and
  - (ii) if the seat is continuous with the driver's seat or if it is a separate seat so placed that any part of it is nearer to the centre of the steering column than 455 millimetres the said space shall be divided off by means of a solid partition having a height of at least 225 millimetres measured from the seat level of the driver's seat and extending for the whole depth of the seat.

### **Windscreens**

**32.** Where a vehicle is fitted with a front windscreen for the driver the windscreen shall, except where an adequate demisting and defrosting device is fitted, be capable of being opened so as to give the driver a clear view of the road ahead.

### **Passengers' communication with driver**

**33.** Except in the case of a vehicle which has a seating capacity not exceeding 12 passengers, adequate means shall be provided in every vehicle to enable passengers on any deck to signal to the driver.

### **General construction**

**34.—(1)** The requirements as to the construction, weight and equipment of motor vehicles contained in any regulations for the time being in force under section 40 of the Road Traffic Act 1972 shall be complied with in the case of every vehicle; and all bodywork, upholstery and fittings, shall be soundly and properly constructed of suitable materials, well finished and in good and serviceable condition, and of such design as to be capable of withstanding the loads and stresses likely to be met with in normal operation of the vehicle.

(2) No vehicle shall be constructed or adapted as to be incapable of being fitted with a lighting system which complies in all respects with the requirements of the Road Traffic Act 1972 and any regulations for the time being in force under that Act.

## **PART III**

### **REGULATIONS RELATING TO THE EQUIPMENT OF PUBLIC SERVICE VEHICLES**

#### **Fire extinguishing apparatus**

**35.—(1)** There shall be carried by every vehicle being used before 31st December 1988 suitable and efficient apparatus for extinguishing fire which is of either one or more of the types specified in Part I of Schedule 4 or one or more of the types specified in Part II of Schedule 4, and by every vehicle being used on or after 31st December 1988 suitable and efficient apparatus for extinguishing fire which is of either one or more of the types specified in Part II of Schedule 4.

(2) The apparatus referred to in paragraph (1) shall be—

- (a) readily available for use,
- (b) clearly marked with the appropriate British Standards Institution specification number, and
- (c) maintained in good and efficient working order.

#### **First aid equipment**

**36.**—(1) There shall be carried by every vehicle being used as an express carriage or as a contract carriage a receptacle which contains the items specified in Schedule 5.

- (2) The receptacle referred to in paragraph (1) shall be—
  - (a) maintained in a good condition,
  - (b) suitable for the purposes of keeping the items referred to in the said paragraph in good condition,
  - (c) readily available for use, and
  - (d) prominently marked as a first aid receptacle.

(3) The items referred to in paragraph (1) shall be maintained in good condition and shall be of a good and reliable quality and of a suitable design.

## **PART IV**

### **REGULATIONS RELATING TO THE USE OF PUBLIC SERVICE VEHICLES**

#### **Obstruction of entrances, exits and gangways**

**37.** No person shall, while passengers are being carried by a vehicle, cause or permit any unnecessary obstruction to any entrance or exit or gangway of the vehicle.

#### **Obstruction of driver**

**38.** No person shall cause or permit any unnecessary obstruction of the driver of a vehicle.

#### **Body maintenance**

**39.** No person shall use a vehicle while it is carrying passengers or cause or permit it to be so used unless the inside and the outside of the body of the vehicle and all windows and fittings and all passengers' seats are maintained in clean and good condition.

#### **Lamps**

**40.**—(1) No person shall use a vehicle during the hours of darkness while it is carrying passengers or cause or permit it to be so used unless every lamp provided in compliance with Regulation 16 for the internal illumination of the vehicle is at all times during such use kept lighted to such extent as is necessary to provide adequate illumination of every access from any seat in the vehicle to every exit in the vehicle and of every such marking as is required by Regulation 24 to be provided in relation to every emergency exit in the vehicle:

Provided that it shall not be necessary to keep lighted any lamp provided on the upper deck of a double-decked vehicle if a barrier is secured across the bottom of all staircases leading to that deck so as effectively to prevent passengers using any such staircase.

(2) In this Regulation, “hours of darkness” means the time between half-an-hour after sunset and half-an-hour before sunrise.

### **Use of device for operating power-operated doors**

**41.**—(1) Except as provided by paragraph (2), no person shall use or cause or permit to be used any device for operating the doors of a vehicle having power-operated doors, being a device such as is mentioned in condition (b) of Regulation 23(1) or, as the case may be, in paragraph 9(b)(ii) of Schedule 2.

(2) Paragraph (1) shall not apply—

- (a) in an emergency, as to the use of a device by any person;
- (b) otherwise than in an emergency, as to the use of a device by a person in accordance with an authorisation by the operator of the vehicle, save that no such use shall occur if—
  - (i) the vehicle is in motion, and
  - (ii) the doors, when fully opened, project more than 80 millimetres from the side of the vehicle.

### **Filling of petrol tank**

**42.** While the engine of a vehicle is running no person shall cause or permit the filler cap fitted to the petrol tank of the vehicle to be removed or petrol to be put into its petrol tank.

### **Carriage of conductor**

**43.** No person shall use or cause or permit to be used as a stage carriage any vehicle which has a seating capacity exceeding 20 passengers unless a person authorised to act as conductor of the vehicle is carried thereby:

Provided that this Regulation shall not apply—

- (i) in the case of a single-decked vehicle which has a seating capacity not exceeding 32 passengers and which is provided with only one emergency exit, if that exit and the entrance to the vehicle are both placed at the front of the vehicle and are readily visible to the driver from his seat and means are provided for the driver to be aware if any person outside the vehicle has been trapped by the closure of any door provided at that entrance, or
- (ii) in the case of any other vehicle, if a certifying officer has stated in writing that the construction and design of the vehicle is such that a conductor is not required for the purpose of the safety of the passengers.

### **Carriage of inflammable or dangerous substances**

**44.**—(1) No person shall use or cause or permit to be used any vehicle by which any highly inflammable or otherwise dangerous substance is carried unless that substance is carried in containers so designed and constructed, or unless the substance is so packed, that, notwithstanding an accident to the vehicle, it is unlikely that damage to the vehicle or injury to passengers carried by the vehicle will be caused by reason of the presence on it of that substance.

(2) The requirements of this Regulation are in addition to and not in derogation of the requirements of regulations made under the Petroleum (Consolidation) Act 1928 or under any other Act.

### **Markings**

**45.** No vehicle in respect of which, by virtue of section 17(1) of the Transport Act 1980, a certificate of initial fitness, or a certificate under section 130 of the Road Traffic Act 1960, or a

certificate under section 47 of the Road Traffic Act 1972 is required shall be used on a road unless the vehicle is marked with clearly legible characters—

- (i) not less than 25 millimetres tall,
- (ii) in a conspicuous position on the nearside of the vehicle,
- (iii) in colours which contrast with their background, and
- (iv) indicating the name of the owner (as defined in section 44(1) of the said Act of 1980 in relation to a vehicle to which that definition applies) of the vehicle and the owner's principal place of business.

## PART V

### REGULATIONS RELATING TO CERTIFICATES OF INITIAL FITNESS, APPROVAL AS A TYPE VEHICLE AND CONFORMITY TO AN APPROVED TYPE VEHICLE

#### **Applications and fees for certificates of initial fitness**

**46.**—(1) Every application for a certificate of initial fitness shall be made to the traffic commissioners for the traffic area in which the vehicle is available for inspection, and on a form to be obtained from those commissioners.

- (2) The prescribed fee for a certificate of initial fitness is £35.

#### **Form of certificate of initial fitness**

**47.** A certificate of initial fitness shall be in the form set out in Schedule 6.

#### **Applications for type approval**

**48.**—(1) Every application for the approval of a vehicle as a type vehicle shall be made to the Minister in writing.

- (2) Where the applicant represents that the vehicle in respect of which the application is made—
  - (a) conforms substantially to a vehicle already approved as a type vehicle;
  - (b) has a chassis which conforms to the chassis of a vehicle which has already been approved as a type vehicle; or
  - (c) has a body which conforms to the body of a vehicle which has already been approved as a type vehicle,

the application may, with the approval of the Minister, be made by way of reference to such type vehicle.

(3) Where the applicant represents that the vehicle in respect of which the application is made has a chassis and a body which have formed parts of different vehicles which have already been approved as type vehicles, the application may, with the approval of the Minister, be made by way of references to such type vehicles.

(4) Every application mentioned in paragraph (1), (2) or (3) shall be accompanied by two sets of such working drawings and such detailed specifications and calculations as the Minister may require, and the applicant shall, in respect of every such application, give the Minister facility to inspect and test the vehicle.

### **Copies of drawings and specifications**

49. On the approval by the Minister of a vehicle as a type vehicle under the provisions of the Act and these Regulations, the person who applied for such approval shall supply to the Minister such number of copies of the working drawings and of the detailed specifications and calculations which accompanied the application as the Minister may require.

### **Fees for type approval**

50. The prescribed fees for the approval of a vehicle as a type vehicle are as follows:—
- (a) where an approval is given pursuant to an application under Regulation 48(2), £50, or where the Minister is satisfied that the vehicle in respect of which the application is made conforms except in unimportant details to a vehicle already approved as a type vehicle and where no inspection of the vehicle is made, £5;
  - (b) where an approval is given pursuant to an application under Regulation 48(3), £25;
  - (c) in any other case, £125.

### **Form of type approval certificate**

51. A type approval certificate shall be in the form set out in Schedule 7.

### **Form of declaration of conformity to an approved type vehicle**

52. Every application for a certificate of conformity shall be accompanied by a declaration, in a form specified in Schedule 8, by the manufacturer of the vehicle or by a person authorised by him in that behalf, that the vehicle in respect of which the application is made conforms in design, construction and equipment to an approved type vehicle.

### **Fee for a certificate of conformity**

53. The prescribed fee for a certificate of conformity is £5.

### **Form of certificate of conformity**

54. A certificate of conformity shall be in the form set out in Schedule 9.

### **Notification of registration mark**

55. If a certificate of fitness or a certificate of conformity is issued in respect of a vehicle before the vehicle to which the certificate relates is registered under the Vehicle (Excise) Act 1971 the person at whose application the registration is made shall, upon the vehicle being so registered, forthwith notify the Minister of the registration mark which has been assigned to the vehicle and shall send or deliver the certificate to him for noting and return.

### **Appeals relating to applications for a certificate of initial fitness or for a type approval certificate**

56. As regards an appeal made to the Minister by virtue of section 28(6) of the Transport Act 1980 against the refusal of a certifying officer to issue a certificate of initial fitness or a certificate under section 130 of the Road Traffic Act 1960—

- (a) the prescribed time within which the appeal must be made is 28 days from the date on which the certifying officer sent to the person making the appeal a notification of his refusal to issue a certificate; and



- (b) the prescribed manner in which the appeal must be made is that the appeal must be made in writing and contain a statement of the grounds on which the appeal is made.

### **Issue of duplicate certificates**

**57.**—(1) If a certificate of conformity or a certificate of initial fitness has been lost or destroyed, the owner of the vehicle to which it relates shall forthwith notify the Minister so that the Minister, if satisfied that the certificate has been lost or destroyed, may issue a copy of the same marked as a duplicate.

(2) If a certificate referred to in paragraph (1) subsequently comes into the possession of the owner of the vehicle he shall forthwith return it to the Minister.

(3) If a certificate of conformity or a certificate of initial fitness becomes defaced or illegible the owner of the vehicle to which it relates shall return it to the Minister so that the Minister may issue a copy of the certificate marked as a duplicate.

(4) A copy of a certificate issued and marked as a duplicate in accordance with paragraph (1) or (3) shall have the same effect as the original certificate.

23rd February 1981

*Norman Fowler*  
Minister of Transport