
STATUTORY INSTRUMENTS

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⁽¹⁾ as amended⁽²⁾, to which the United Kingdom is a party⁽³⁾;

“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⁽⁴⁾;

“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);

(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.