
STATUTORY INSTRUMENTS

1996 No. 167

PUBLIC PASSENGER TRANSPORT

The Public Service Vehicles (Carrying Capacity) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>31st January 1996</i>
<i>Laid before Parliament</i>		<i>8th February 1996</i>
<i>Coming into force</i>	- -	<i>1st May 1996</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 26 and 60 of the Public Passenger Vehicles Act 1981(1), and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 61(2) of the Act, hereby makes the following Regulations:

1. These Regulations may be cited as the Public Service Vehicles (Carrying Capacity) (Amendment) Regulations 1996 and shall come into force on 1st May 1996.

2.—(1) Regulation 5 of the Public Service Vehicles (Carrying Capacity) Regulations 1984(2) shall be amended as follows.

(2) For paragraphs (2) and (3) there shall be substituted the following paragraphs—

“(2) For the purposes of paragraph (1)—

- (a) a child under 5 years of age who is not occupying a seat does not count as a passenger; and
- (b) subject to sub-paragraph (a) above, three seated children each of whom is under 14 years of age and none of whom are occupying a seat provided with a seat belt shall count as two passengers.

(3) In this Regulation “seat belt” has the meaning given in regulation 47 of the Road Vehicles (Construction and Use) Regulations 1986(3)

(4) For the purposes of this Regulation, in relation to a continuous seat which is designed for the accommodation of more than one adult, each part of the seat which is designed to accommodate one adult shall be regarded as a separate seat.

(1) 1981 c. 14; section 26 was amended by section 46 of the Criminal Justice Act 1982 (c. 48). Relevant amendments to section 60 were made by section 134(2) of the Transport Act 1985 (c. 67).
(2) S.I.1984/1406.
(3) S.I. 1986/1078; relevant amending instrument is S.I. 1987/1133.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) For the purposes of this Regulation, a child shall be deemed to be under 14 years of age until the last day of August following his fourteenth birthday.”.

Signed by the authority of the Secretary of State

31st January 1996

Steven Norris
Parliamentary Under-Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Carrying Capacity) Regulations 1984.

Regulation 5(1) of the 1984 Regulations prohibits the driving of a public service vehicle adapted to carry more than eight passengers if the number of seated passengers exceeds the number of seats available for passengers. A child under 5 years who is not occupying a seat does not count as a passenger for the purpose of that provision.

Previously three seated children counted as two passengers for the purposes of that provision in all cases. These Regulations amend regulation 5 so that three children count as two passengers only if none of them are occupying a seat provided with a seat belt.