

EXPLANATORY MEMORANDUM TO

The Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2009

S.R. 2009 No. 343

1. Introduction

- 1.1 This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2 The Statutory Rule is made under Articles 55(1) and (2) and 110(2) of the Road Traffic (Northern Ireland) Order 1995 and is subject to the negative resolution procedure.
- 1.3 The rule is due to come into operation on 16th November 2009.

2. Purpose

- 2.1 These Regulations will amend regulation 45 (repair outfit) of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995 (“the PSV Regulations”). This provision has been made obsolete by technical advances in vehicle construction and, although minor, is an inconvenience to the taxi industry and of no benefit in terms of road safety.

3. Background

- 3.1 The existing legislation makes it a requirement for all taxis to carry a spare wheel, a jack and a suitable wheelbrace. However, many cars are now manufactured without provision for a spare wheel. These cars are equipped by the manufacturer with alternative tyre repair systems, intended to temporarily restore function to a punctured tyre and allow sufficient time to get the vehicle to a tyre depot where the tyre can be replaced. These systems are known as post-puncture tyre repair kits.
- 3.2 These Regulations will permit owners of such vehicles to carry vehicle repair kits instead of a spare wheel.

4. Matters of Special Interest to the Environment Committee

- 4.1 None

5. Consultation

- 5.1 It was considered that a formal consultation process was not required for the following reasons:

- the amendment has been suggested by the taxi industry, which is keen to see it implemented;
- there is no cost to either the industry or other affected groups;
- there are no easily definable cost benefits to the proposal;
- a twelve week consultation period would further delay the removal of the obsolete provision;
- the amendment has been screened for equality issues and none has been identified.

6. Position in Great Britain

6.1 Not applicable.

7. Equality Impact

7.1 None.

8. Regulatory Impact

8.1 None

9. Financial Implications

9.1 None

10. Section 24 of the Northern Ireland Act 1998

10.1 The Rule is not incompatible with section 24 of the Northern Ireland Act 1998.

11. EU Implications

11.1 Not applicable.

12. Additional Information

12.1 Not applicable.