

2015 No. 396

DISABLED PERSONS

The Taxi Accessibility Regulations (Northern Ireland) 2015

Made - - - - *2nd December 2015*

Coming into operation - *31st May 2016*

The Department of the Environment makes these Regulations in exercise of the powers conferred by section 32 of the Disability Discrimination Act 1995(a).

Citation and commencement

1. These Regulations may be cited as the Taxi Accessibility Regulations (Northern Ireland) 2015 and shall come into operation on 31st May 2016.

Interpretation

2. In these Regulations—

“Class B taxi licence” means a licence specified as Class B in accordance with the Table in regulation 5 of the Taxi Licensing Regulations (Northern Ireland) 2015(b) and granted in accordance with regulation 7 of those Regulations;

“regulated taxi” means any taxi to which Regulation 3 applies; and

“wheelchair space”, “wheelchair restraint system” and “wheelchair user restraint system” have the meaning assigned to them in the Schedule.

Application

3.—(1) These Regulations apply to a taxi which—

(a) is granted a Class B taxi licence on or after 31st May 2016; and

(b) was not licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981(c) at any time during the period of 12 months ending on the date these Regulations come into operation.

(2) Subject to regulation 4, a regulated taxi shall comply with the requirements of the Schedule.

Alternative means of compliance

4. The requirements of these Regulations may alternatively be met by compliance with—

(a) 1995 c.50; section 32 is modified in its application to Northern Ireland by paragraph 16 of Schedule 8; section 32 was amended by paragraph 3 of Schedule 2 to the Taxis Act (Northern Ireland) 2008

(b) S.R 2015 No. 393

(c) S.I. 1981 No. 154 (N.I. 1)

- (a) the relevant standard or code of practice of a national standards body or equivalent body of any EEA State or the Republic of Turkey;
- (b) any relevant international standard recognised for use in any EEA State or the Republic of Turkey; or
- (c) any relevant technical regulation with mandatory application for marketing or use in any EEA State or the Republic of Turkey,

insofar as that standard, code of practice or technical regulation enables the protection of the health and safety of passengers and drivers and the promotion of accessible services for passengers with disabilities to be met in an equivalent manner.

Duties of drivers

5. The driver of a regulated taxi shall ensure that when the vehicle is standing or plying for hire or reward or carrying passengers for hire or reward—

- (a) the wheelchair space is available for use and any wheelchair restraint systems and wheelchair user restraint systems fitted in accordance with paragraph 2 of the Schedule are in working order and available for use; and
- (b) any devices fitted or carried on the vehicle in accordance with paragraphs 3 to 8 of the Schedule are in working order and available for use.

Sealed with the Official Seal of the Department of the Environment on 2nd December 2015



Elizabeth Loughran
A senior officer of the
Department of the Environment

SCHEDULE

Regulation 3

PART 1

Wheelchair Accessibility Requirements

Interpretation

1. In this Schedule—

“boarding lift” means a lift fitted to a regulated taxi for the purpose of allowing wheelchair users to board and alight from the vehicle;

“boarding ramp” means a ramp fitted to a regulated taxi for the purpose of allowing wheelchair users to board and alight from the vehicle;

“contrast” means a contrast in the amount of light which is reflected by the surfaces of the parts of a regulated taxi or its equipment which is required by these Regulations to contrast;

“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 alight from the vehicle;

“intercom system” means an electronic communication system allowing passengers to communicate with the driver as required;

“induction loop system” means an audio-frequency induction loop;

“kg” means kilogram(s);

“mm” means millimetre(s);

“passenger compartment” means the area of the vehicle that is separated from the driver’s seat by a fixed partition;

“portable ramp” means a ramp which is carried on a regulated taxi for the purpose of allowing wheelchair users to board and alight from the vehicle;

“the Department” means the Department of the Environment;

“wheelchair restraint system” means a system which is designed to keep a wheelchair restrained within the wheelchair space;

“wheelchair space” means a space for a wheelchair with which a regulated taxi is fitted in accordance with paragraph 2;

“wheelchair user” means a disabled person using a wheelchair; and

“wheelchair user restraint system” means a system which is designed to keep a wheelchair user restrained in the wheelchair.

Wheelchair spaces

2.—(1) A regulated taxi shall be fitted with not less than one wheelchair space.

(2) A wheelchair space in a regulated taxi shall—

(a) not be less than—

(i) 1200mm measured in the longitudinal plane of the vehicle,

(ii) 700mm measured in the transverse plane of the vehicle, and

(iii) 1350mm measured vertically from any part of the floor of the wheelchair space;

(b) allow for the carriage of a wheelchair user facing the front or the rear of the vehicle;

(c) be fitted with—

- (i) four anchorage points for the wheelchair restraint system, or
- (ii) a clamp based anchorage system;
- (d) have sufficient wheelchair restraint systems to secure the wheelchair;
- (e) be fitted with anchorage points sufficient for a three-point wheelchair user restraint system;
- (f) have a three point wheelchair user restraint system; and
- (g) have a slip resistant surface.

(3) All anchorage points, anchorage systems, wheelchair restraint systems and wheelchair user restraint systems fitted in accordance with sub-paragraph (2) shall comply with BS ISO 10542.

(4) A regulated taxi may provide an alternative wheelchair restraint system or wheelchair user restraint system provided that the Department is satisfied that the system offers an equivalent level of strength and safety.

(5) A regulated taxi shall have an available storage space of at least 735mm x 330mm x 805mm to accommodate the safe and secure storage of a folded wheelchair.

(6) A regulated taxi shall have internal lighting to illuminate the wheelchair space as required.

Boarding lifts and ramps

3.—(1) A regulated taxi shall be fitted with not less than one boarding lift or one boarding ramp, or shall carry not less than one portable ramp.

(2) Any boarding lifts fitted in accordance with sub-paragraph (1) shall comply with BS EN 1756-2.

(3) Any boarding ramp or portable ramp fitted or carried in accordance with sub-paragraph (1) shall comply with the following requirements—

- (a) the ramp shall have a safe working load of not less than 300kg;
- (b) the ramp shall have a surface of not less than 700mm in width;
- (c) the ramp shall be free of sharp edges or other protrusions capable of causing injury;
- (d) the ramp shall be in a serviceable condition;
- (e) the ramp shall have around and abutting each of the edges of the ramp a band of colour of not less than 50mm in width which shall contrast with the remainder of the ramp surface;
- (f) the ramp shall provide nearside or rear access to the vehicle for the wheelchair user;
- (g) the ramp shall have a single continuous surface when deployed; and
- (h) with the vehicle on a flat surface, in the normal condition for a wheelchair user to board or alight, and with the ramp extended and sitting on a kerb of 125mm in height measured vertically from and parallel to the ground, the surface of the ramp shall have a slope measured over the surface referred to in sub-paragraph (3)(b) of not more than 16° measured relative to the ground.

(4) Where a portable ramp is carried in a regulated taxi the ramp shall—

- (a) be carried on the vehicle at all times and be in a serviceable condition;
- (b) be fitted with an adequate device to ensure that the ramp does not slip or tilt when in use;
- (c) be provided with a stowage position in a position where it is readily available for use; and
- (d) be capable of being securely stowed in the stowing position so as to minimise the risk of injury to the passengers or the driver.

Entrances and exits

4. Any entrance or exit which is intended to provide access for a wheelchair user shall have a clear unobstructed width of not less than 750mm and a clear unobstructed height of not less than 1235mm.

PART 2

General Accessibility Requirements

Communication devices

5.—(1) A regulated taxi which has a partition between the driver and the passenger compartment shall be fitted with an intercom system and an induction loop system.

(2) Where a regulated taxi is fitted with an intercom system and an induction loop system in accordance with sub-paragraph (1) a sign shall be clearly displayed in the passenger compartment indicating the availability of those systems.

Steps

6.—(1) Subject to paragraph 7, where the passenger's first step into a regulated taxi would be more than 380mm in height the vehicle shall be fitted with a step on at least one nearside entrance or exit to provide passenger access and egress.

(2) Any steps fitted in accordance with sub-paragraph (1) shall comply with the following requirements—

- (a) the surface of each tread shall be covered in a slip resistant material;
- (b) around and abutting each of the edges of the step there shall be a band of colour of not less than 50mm in width which shall contrast with the remainder of the step surface;
- (c) a step shall not be less than 200mm deep and not less than 400mm wide;
- (d) in a flight of steps, the difference in height between any two steps shall not be more than 200mm measured vertically from the surface of the tread, and at the centre of the tread width, to an imaginary line extended horizontally from the surface of the next tread or floor of the vehicle;
- (e) a step shall have a slope of not more than 3° in any direction; and
- (f) each step should support a mass of 136kg at its central point.

(3) Where a regulated taxi is fitted with an automatically deployed step, the mechanism shall be maintained so that the step is available at all times.

7. The requirements of paragraph 6 may alternatively be met by fitting a continuous running board which meets the following requirements—

- (a) the running board shall be not less than 200mm deep at the point where the passengers board;
- (b) the surface of the running board shall be covered in a slip resistant material;
- (c) the running board should support a mass of 136kg at its central point;
- (d) around and abutting the edges of the running board there shall be a band of colour of not less than 50mm in width which shall contrast with the remainder of the surface of the running board; and
- (e) the running board shall have a slope of not more than 3° in any direction.

Handholds and handrails

8.—(1) Where an entrance or exit to a regulated taxi is fitted with a step in accordance with paragraph 6(1) the vehicle shall have at least one handhold or handrail fitted at that entrance or exit.

(2) The handholds or handrails shall—

- (a) have a slip resistant surface;
- (b) be capable of being easily and firmly gripped by a passenger; and
- (c) contrast with the parts of the vehicle adjacent to the handhold or handrail.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to certain taxis which are Class B licensed taxis.

A taxi which is granted a Class B taxi licence on or after 31st May 2016 and was not licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 at any time during the period of 12 months ending on the date these Regulations come into operation, must meet the requirements set out in the Schedule to these Regulations.

The Regulations also allow for alternative means of compliance as set out in regulation 4.

The Regulations, which are made under the Disability Discrimination Act 1995, are intended to ensure that disabled people can use such taxis in safety and without unreasonable difficulty and, in the case of wheelchair users, can do so while remaining in their wheelchairs.

They are also intended to ensure that disabled people are carried in these vehicles in safety and reasonable comfort.

The detailed technical requirements to be met by regulated taxis are contained in the Schedule which sets out wheelchair accessibility requirements and general accessibility requirements.

Those provisions deal with such matters as wheelchair spaces (paragraph 2), boarding lifts and ramps (paragraph 3), entrances and exits (paragraph 4), communication devices (paragraph 5), steps (paragraphs 6 and 7) and handholds and handrails (paragraph 8).

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and copies are available from Vehicle Policy Branch, Department of the Environment, Clarence Court, 10 – 18 Adelaide Street, Town Parks, Belfast BT2 8GB or online at <http://www.legislation.gov.uk/nisr>.

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34/EC of 22nd June 1998 (O.J. No. L204, 21.7.98, p. 37) as amended by European Parliament and Council Directive 98/48/EC of 20th July 1998 (O.J. No. L217, 5.8.98, p. 18) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services.

Copies of the British Standard publication referred to in these Regulations may be obtained from any of the outlets operated by the British Standards Institution, or by post from the British Standards Institution at Standards House, 389 Chiswick High Road, London W4 4AL. The 1999 Annual Book at ASTM Standards is available from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, USA

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