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STATUTORY INSTRUMENTS

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1980 No. 76

## ROAD TRAFFIC

**Public Service Vehicles and Trolley Vehicles (Carrying Capacity)  
(Amendment) Regulations 1980**

<i>Made - - - -</i>	21st January 1980
<i>Laid before Parliament</i>	31st January 1980
<i>Coming into Operation</i>	21st February 1980

The Minister of Transport, in exercise of the powers conferred by sections 148 and 160 of the Road Traffic Act 1960(a), and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with section 260(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 21st February 1980 and may be cited as the Public Service Vehicles and Trolley Vehicles (Carrying Capacity) (Amendment) Regulations 1980.

2. Regulation 3 (number of seated passengers carried on a vehicle) of the Public Service Vehicles and Trolley Vehicles (Carrying Capacity) Regulations 1954(c) shall be further amended by the substitution, for the words from "Provided that" to the end of the Regulation, of the following words:—

"Provided that in reckoning, for the purposes of this Regulation, the number of seated passengers carried on the vehicle, three children under 15 years of age may be reckoned as two passengers for every two seats provided in the vehicle otherwise than as separate seats for each person; and a child who attains the age of 15 years during a school term, or in Scotland during a period between two dates for terminating school attendance prescribed by the Education Authority of the area in which the child resides, shall for the purpose of this Regulation be deemed to be under 15 years of age during the continuance of that term or period, as the case may be.

Where an arm is fitted to a continuous seat for the purpose of separating the seating spaces provided on the seat and the arm is so constructed that it can be folded back or otherwise put out of use, the seating spaces provided on the seat shall not be regarded as separate seats for the purposes of the foregoing proviso."

21st January 1980.

*Norman Fowler,*  
Minister of Transport.

(a) 1960 c. 16.

(b) S.I. 1970/1681 and 1979/571.

(c) S.I. 1954/1612 amended by S.I. 1958/472.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations further amend Regulation 3 of the Public Service Vehicles and Trolley Vehicles (Carrying Capacity) Regulations 1954. The effect of the amendment is to alter the rule for determining the number of passengers that may be carried on a public service vehicle. The basic rule that the number of passengers seated carried in a public service vehicle may not exceed the seating capacity of the vehicle as defined in the Regulations is subject to a proviso allowing a higher proportion of children not exceeding 15 years of age to be carried in certain circumstances. The circumstances in which this proviso applies are modified as follows:—

- (1) The proviso is no longer restricted to vehicles in which only children and necessary attendants (not more than six) are carried.
- (2) The application of the proviso is restricted to seats in a vehicle which are not provided as separate seats for each person.
- (3) The limitation of the rule in the case of public service vehicles with a seating capacity of not more than twelve passengers is removed.