

1989 No. 2359

PUBLIC PASSENGER TRANSPORT

**The Public Service Vehicles (Conditions of Fitness,
Equipment, Use and Certification) (Amendment)
Regulations 1989**

<i>Made</i> - - - -	<i>12th December 1989</i>
<i>Laid before Parliament</i>	<i>21st December 1989</i>
<i>Coming into force</i>	<i>11th January 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 6 and 60 of the Public Passenger Vehicles Act 1981(a) and by section 41(1) and (5) of the Road Traffic Act 1988(b) and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the Public Passenger Vehicles Act 1981 and section 195 of the Road Traffic Act 1988, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) Regulations 1989 and shall come into force on 11th January 1990.

Preliminary

2. The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981(c) shall be further amended in accordance with the following provisions of these Regulations.

Amendments relating to suspension, brakes, brake and steering connections, locking of nuts and steering

3. Regulations 7 and 9 to 12 shall be omitted.

Amendments relating to steps

4.—(1) Regulation 20 shall be re-numbered as paragraph (1) of that Regulation and after that provision as so re-numbered there shall be added the following paragraphs—

“(2) Paragraph(1)(a) shall not apply to an entrance provided with a lifting platform or a ramp for the benefit of disabled passengers if—

(a) another entrance is provided in the vehicle and in relation to such other entrance the requirements specified in paragraph (1)(a) are met, and

(b) that other entrance is placed—

(i) in the case of any vehicle, on the near side, or

(ii) in the case of such a vehicle as is mentioned in the proviso to Regulation 21(4), on the rear face of the vehicle.

(a) 1981 c.14. “Prescribed” is defined in section 60(2).

(b) 1988 c.52.

(c) S.I. 1981/257; the relevant amending instrument is S.I. 1982/1482.

(3) Paragraph (1)(a) shall not apply to an exit provided with a lifting platform or a ramp for the benefit of disabled passengers if—

(a) another exit is provided in the vehicle and in relation to such other exit the requirements specified in paragraph (1)(a) are met, and

(b) that other exit is placed—

(i) in the case of any vehicle, on the near side, or

(ii) in the case of such a vehicle as is mentioned in the proviso to Regulation 21(4), on the rear face of the vehicle.”.

(2) In regulation 21(4) for “ Regulation 20(a)” there shall be substituted “ Regulation 20(1)(a)” and in paragraph 7 of Schedule 2 for “ Regulation 20” there shall be substituted “ Regulation 20(1)”.

Amendments relating to entrances

5. In paragraph (9) of regulation 21, after paragraph (c) and before the proviso there shall be inserted the words “ and one or more entrances may be provided on the rear face of the vehicle if each of those entrances is provided with a lifting platform or ramp for the benefit of disabled passengers;”.

Amendments relating to doors

6.—(1) In regulation 23, after paragraph (1) there shall be inserted the following paragraph—

“(1A) Schedule 3A shall have effect for the purpose of supplementing paragraph (1) in relation to power-operated doors fitted to certain vehicles.”.

(2) The Schedule set out in the Schedule to these Regulations shall be inserted after Schedule 3.

Amendments relating to seats

7. At the end of regulation 28 there shall be added the following paragraphs—

“(3) Paragraph (1)(b) above shall not apply to a wheelchair carried in a vehicle.

(4) Where a table is fitted to the rear of a seat and is so constructed that it can be folded back or otherwise put out of use, distances shall be measured for the purposes of paragraph (1)(d) with the table so folded or put out of use.”.

Amendments relating to fire extinguishers

8.—(1) In regulation 35, for paragraph (1) there shall be substituted the following paragraph—

“(1) There shall be carried by every vehicle suitable and efficient apparatus for extinguishing fire which is of one or more of the types specified in Schedule 4.”.

(2) For Schedule 4 there shall be substituted the following Schedule—

“ SCHEDULE 4 (See Regulation 35)

FIRE EXTINGUISHING APPARATUS

A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution numbered BS 5423: 1977 or BS 5423: 1980 or BS 5423: 1987 and which—

(a) has a minimum test rating of 8A or 21B, and

(b) contains water or foam or contains, and is marked to indicate that it contains, halon 1211 or halon 1301.”.

Signed by authority of
the Secretary of State for Transport
12th December 1989

Robert Atkins
Parliamentary Under Secretary of State,
Department of Transport

SCHEDULE

SCHEDULE TO BE INSERTED AFTER SCHEDULE 3 TO THE PUBLIC SERVICE VEHICLES (CONDITIONS OF FITNESS, EQUIPMENT, USE AND CERTIFICATION) REGULATIONS 1981

“ SCHEDULE 3A (See Regulation 23 (1A))

Application

1. This Schedule applies to every vehicle registered on or after the 1st April 1980.

Conditions

2. Save as provided below, the following conditions shall be complied with in relation to every power-operated door which is—

- (a) fitted to a vehicle to which this Schedule applies, and
- (b) so situated in the vehicle that the whole of the door opening is more than 500 millimetres behind the transverse vertical plane that touches the back of the driver's seat when the seat is in its rearmost position.

- 3.—(1) The first condition is that when the door is prevented from closing by the presence of a fixed vertical surface that is 60 millimetres high placed at right angles to the direction of movement of the closing edge—

- (a) the force exerted on the surface does not exceed 150 newtons and
- (b) the door re-opens automatically and remains open until a closing control is operated manually.

- (2) This condition shall not have to be met when a door is within 30 millimetres of its fully closed position, but shall otherwise apply wherever the surface is placed within the door opening (regardless of the stage of closure when the door first strikes the surface or of the part of the closing edge that strikes the surface).

- 4.—(1) The second condition is that whenever the door is closed on to the fingers or the palm of the hand—

- (a) the door re-opens automatically and remains open until a closing control is operated manually, or
- (b) the fingers or hand can be readily extracted from the doors without injury.

- (2) This condition shall not apply to a door fitted to a coach manufactured before the 1st of October 1992 or registered before the 1st of April 1993.

- (3) In this paragraph “ coach ” has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986^(a).

5. The third condition is that a visual warning device, clearly visible to the driver at all times, is activated whenever the door is not fully closed.

Transitional and Savings

- 6.—(1) This Schedule shall not have effect until 1st April 1993 in relation to a vehicle manufactured before the 14th May 1990 or first used before the 1st of October 1990.

- (2) Nothing in this Schedule shall be construed as derogating from the requirements of regulation 23(1).”

^(a) S.I. 1986/1078; the relevant amending instrument is S.I. 1987/1133.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981.

Regulation 3 revokes regulations 7 and 9 to 12 of the 1981 Regulations. Those Regulations contained provisions concerning the suspension, brake and steering connections, locking of nuts and steering.

Regulation 4 amends regulation 20 of the 1981 Regulations so that entrances and exits provided with lifting platforms or ramps for the benefit of disabled passengers do not have to comply with the requirements relating to step height provided that another entrance which complies with these requirements is placed on the near side or, in certain cases, on the rear face of the vehicle.

Regulation 5 amends regulation 21(9) of the 1981 Regulations so as to create a further exception to the requirement that every entrance must be placed on the near side of a vehicle. The amendment enables an entrance to be in the rear face of a vehicle if that entrance is fitted with a lifting platform or a ramp for the benefit of disabled passengers.

Regulation 6 amends regulation 23 of the 1981 Regulations by adding a Schedule imposing supplementary conditions relating to power operated doors on vehicles manufactured on or after 14th May 1990 and first used on or after 1st October 1990 and, with effect from 1st April 1993, on vehicles registered on or after 1st April 1980.

Regulation 7 amends regulation 28 of the 1981 Regulations. It exempts wheelchairs from the requirement that a length of at least 400 millimetres is to be allowed for the accommodation of each seated passenger. It also inserts a new provision to the effect that where a folding table is fitted to the rear of a seat, measurements made for the purposes of assessing the space between seats are to be made with the table folded.

Regulation 8 amends regulation 35 of and substitutes a new Schedule 4 to the 1981 Regulations. The Schedule specifies the type of fire extinguisher to be carried in a vehicle to which the Regulations apply and regulation 35 gives effect to the Schedule.

Copies of the British Standard specifications may be obtained from any of the sales outlets operated by the British Standards Institution, or by post from the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE (Telephone number: Milton Keynes (STD 0908) 22116).

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Schedule 7—fire extinguishing apparatus

5. For Part I of Schedule 7 there shall be substituted—

“ PART I

(see regulation 42)

FIRE EXTINGUISHING APPARATUS

A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution numbered BS 5423: 1977 or BS 5423: 1980 or BS 5423:1987 and which—

- (a) has a minimum test fire rating of 8A or 21B, and
- (b) contains water or foam or contains, and is marked to indicate that it contains, halon 1211 or halon 1301.”.

Signed by authority of
the Secretary of State for Transport

Robert Atkins
Parliamentary Under Secretary of State,
Department of Transport

12th December 1989

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations further amend the Road Vehicles (Construction and Use) Regulations 1986.

They amend regulation 53A of the 1986 Regulations so that it will apply only to vehicles first used on or after 1st April 1993, instead of 1st April 1990. Regulation 53A was inserted by S.I. 1987/1133 and makes provision as to the strength of the superstructure of certain single decked coaches.

They amend the Table in regulation 83(1) of the 1986 regulations so that a trailer can be towed behind a bus (not being an articulated bus or minibus), without being subject to the former requirements that the trailer length did not exceed 5m and that the overall length of the combination did not exceed 15m. The overall length requirement of regulation 7 of the 1986 Regulations will continue to apply so as to limit the overall length of the combination to 18m. A drafting correction is made in item 6 of the Table.

They amend Schedule 7 which specifies the type of fire extinguisher which has to be carried in a minibus first used on or after 1st April 1988.

Copies of the British Standard specifications mentioned in the Regulations may be obtained from any of the sales outlets operated by the British Standards Institution or by post from the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE. (Telephone number: Milton Keynes (STD 0908) 221166.)

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