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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are consequent upon the introduction by the Public Service Vehicles Accessibility Regulations 2000 ([S.I. 2000/1970](#)—“the 2000 Regulations”) of accessibility requirements for disabled persons (including those in wheelchairs) to single-deck and double-deck buses and coaches. Further amendments are accordingly made to the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 ([SI 1990/1020](#)) to deal with the additional duties of the drivers and conductors of these vehicles towards such persons.

*Regulation 5* contains minor consequential amendments to regulation 6 (conduct of passengers) to deal with the conduct of passengers who are disabled

The principal amendments are made by adding in a new Part IV further provisions setting out additional duties for drivers and conductors with respect to passengers who are disabled (including wheelchair passengers).

*Regulation 12 (duties towards wheelchair users of Schedule 1 vehicles)* adds new duties towards wheelchair users of regulated public service vehicles required to comply with the wheelchair accessibility requirements of Schedule 1 to the 2000 regulations.

*Regulation 13 (duties towards persons using Schedule 2 or 3 vehicles)* adds new duties towards disabled persons using regulated public service vehicles required to comply with the general accessibility requirements for single-deck and double-deck buses and single-deck and double-deck coaches.

*Regulation 14 (general duties towards wheelchair users and other disabled persons)* contains provisions relating to duties in the deployment of boarding lifts and ramps and, when it is requested, in the providing of assistance to wheelchair users and other disabled persons to board or to alight.

*Regulation 15 (effects of faulty or malfunctioning equipment)* provides in paragraph (1) that where a driver and a conductor carrying out duties under regulations 12 to 14 uses equipment, a kneeling system or a folding or retractable step that is faulty or fails, he must not allow wheelchair users, other disabled persons or any other persons to board or alight from the vehicle unless he is satisfied that they can do so in safety; and paragraph (2) excuses a driver and a conductor for failure to perform his duty with regard to the operation of kneeling systems or folding or retractable steps and to the display of a route number and destination if that failure is due to a fault in the equipment or system.

*Regulation 16* is concerned with the display of a route number and destination.

*Regulation 17 (extent of driver's and conductor's general duty)* defines the duty of a driver or conductor as being one of reasonable care but not one as to oblige him to take any steps if, on reasonable grounds, he considers there to be a risk to the health or safety of the wheelchair user or other disabled passenger or to that of other passengers, members of the public or to himself.

A Regulatory Impact Assessment of the costs and benefits of the making of these Regulations has been prepared and copies can be obtained from the Department of Transport, Local Government and the Regions, Zone 1/18, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 020 7944 4914). A copy has been placed in the library of each House of Parliament.