
STATUTORY INSTRUMENTS

2002 No. 335

ROAD TRAFFIC

The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) Regulations 2002

<i>Made</i>	- - - -	<i>15th February 2002</i>
<i>Laid before Parliament</i>		<i>20th February 2002</i>
<i>Coming into force</i>	- -	<i>18th March 2002</i>

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred by sections 6, 10 and 60 of the Public Passenger Vehicles Act 1981(1) and by section 41(1) and (5) of the Road Traffic Act 1988(2) and of all other powers enabling him to do so, 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 2002 and shall come into force on 18th March 2002.

Preliminary

2. The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981(3) shall be further amended in accordance with the following provisions.

Amendments to regulation 3 (interpretation)

3. In regulation 3, after the definition of “the Act” there shall be inserted—
““the 1995 Act” means the Disability Discrimination Act 1995(4);

(1) 1981 c. 14. Section 6(1)(a) was amended by the Road Traffic Act 1991, paragraph 14 of Schedule 4; section 6(1)(c) was amended by the Road Traffic (Consequential Provisions) Act 1988, paragraph 22 of Schedule 3; section 6(2) was amended by the Criminal Justice Act 1982, paragraph 21(9) of Schedule 7; and section 60 was amended by the Transport Act 1985, section 134(1) and (2), Schedule 4(18) and Schedule 8.

(2) 1988 c. 52.

(3) S.I.1981/257; relevant amending instruments are S.I. 1982/1058 and S.I. 1989/2359

(4) 1995 c. 50.

“the 2000 Regulations” means the Public Service Vehicles Accessibility Regulations 2000(5);”

and the following new definitions shall be inserted in the appropriate places according to alphabetical order—

““priority seat” means a seat which is designated as such in accordance with paragraph 3 of Schedule 2 to the 2000 Regulations (priority seats);

“regulated public service vehicle” means a public service vehicle to which the 2000 Regulations apply;

“wheelchair user” has the same meaning as in paragraph 1 of Schedule 1 to the 2000 Regulations.”.

Amendments to regulation 6 (stability)

4. In regulation 6—

(a) in paragraph (1)(b), after the word “passengers” there shall be inserted the words “(including any passengers who are wheelchair users)”; and

(b) in paragraph (3) there shall be substituted the following paragraph—

“(3) For the purpose of this regulation—

(a) 63.5 kilograms shall be deemed to represent the weight of one person other than a wheelchair user, and

(b) 180 kilograms shall be deemed to represent the weight of one wheelchair and wheelchair user.”.

Amendment to regulation 20 (steps, platforms and stairs)

5. In regulation 20, after paragraph (3) there shall be added the following paragraph—

“(4) Paragraph (1)(a) shall not apply to any steps on a regulated public service vehicle which are steps at an entrance or an exit of the vehicle for which requirements are imposed by paragraph 4 of Schedule 2 or paragraph 4 of Schedule 3 to the 2000 Regulations and which meet those requirements.”.

Amendment to regulation 21 (number, position and size of entrances and exits)

6. In regulation 21, there shall be added after paragraph (12) the following paragraph—

“(13) The width requirements of paragraphs (4)(b) and (6)(a) shall not apply to those parts of an exit which have a clear unobstructed width of not less than 800 millimetres for wheelchair access.”.

Amendment to regulation 22 (width of entrances and exits)

7. In regulation 22, after paragraph (3) there shall be added the following paragraph—

“(4) The width requirements of paragraph (1)(b) and paragraph (2) shall not apply to those parts of an entrance or exit which have a clear unobstructed width of not less than 800 millimetres for wheelchair access.”.

Amendments to regulation 23 (doors)

8. In regulation 23—

- (a) in paragraph (1)(b), after the reference to “paragraph (2)” there shall be inserted the words “and paragraph (5)”;
- (b) in paragraph (1)(f), after the word “but” there shall be inserted the words “(subject to paragraph (5))”; and
- (c) after paragraph (4), there shall be added the following paragraph—
 - “(5) In relation to securing the closed position of an entrance or exit door of a vehicle whilst that vehicle is in motion, any such door may be fitted with a device so designed that the motion of the vehicle will operate to prevent that door from being readily opened.”.

Amendments to regulation 26 (width of gangways) and Schedule 2

- 9. In regulation 26—
 - (a) in paragraph (1), for the words “paragraphs (2) and (3)” there shall be substituted the words “paragraphs (2), (3) and (4)”;
 - (b) in paragraph (1), the word “and” immediately following sub-paragraph (c), and the whole of sub-paragraph (d), shall be omitted;
 - (c) in paragraph (2), the proviso following the words “the width of a gangway” shall be omitted;
 - (d) after paragraph (3), there shall be added the following paragraph—
 - “(4) The provisions of paragraph (1)(a) shall not apply to a gangway of a vehicle if the width of that gangway is not less than—
 - (i) 450 millimetres up to a height of 1400 millimetres measured vertically from the floor of the vehicle, and
 - (ii) 550 millimetres at heights exceeding 1400 millimetres measured vertically from the floor of the vehicle.”; and
 - (e) in Schedule 2, the second entry in columns 1 and 2 of the Table 2 shall be omitted.

Amendments to regulations 28 (seats), 28A (crew seats) and Schedule 2

- 10.—(1) In regulation 28—
 - (a) after the words “Subject to” in paragraph (1), there shall be inserted the words “paragraph (5) of this regulation and to”;
 - (b) sub-paragraph (f) of paragraph (1) shall be deleted and, accordingly, for the reference in paragraph 13(b) of Schedule 2 (exceptions) to “paragraph (1)(f) and (g)” there shall be substituted a reference to “paragraph (1)(g)”;
 - (c) after paragraph (4), there shall be added the following paragraph—
 - “(5) In the case of a regulated public service vehicle, the provisions of this regulation shall apply with the following modifications—
 - (a) where, in accordance with paragraph 3(1) of Schedule 2 to the 2000 Regulations, such a vehicle is fitted with priority seats that comply with the requirements set out in paragraph 3(2) of that Schedule, paragraph (1)(d)(ii) and paragraph (1)(g) shall not apply to such seats; and
 - (b) where seats fitted to such a vehicle comply with the requirements set out in paragraph 3(1) of Schedule 3 to the 2000 Regulations, paragraph (1)(d)(ii) shall not apply to such seats:

Provided that in the case of a seat for more than three passengers, or one or more priority seats in a seat for more than three passengers, and where access to that seat can be obtained only from one end of the seat, there shall be a clear space of—

- (i) at least 685 millimetres in front of the back rest of any of those seats (measured from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with paragraph (1) (b)), and
- (ii) 300 millimetres in front of any part of those seats.”.

(2) In regulation 28A, for the reference in paragraph (4) to “paragraph (1)(a) to (f) of Regulation 28” there shall be substituted a reference to “paragraph (1)(a) to (e) of Regulation 28”.

Route and destination displays

11. After regulation 45A (use of seats) in Part IV there shall be inserted the following regulation—

“Route and destination displays

45B.—(1) No person shall use or cause or permit to be used on a road any regulated public service vehicle unless any route number or any destination fitted in the positions provided for such displays with respect to the vehicle in accordance (as the case may be) with either paragraph 8 of Schedule 2 or paragraph 7 of Schedule 3 to the 2000 Regulations is displayed in characters which—

- (a) in the case of a route number, are not less than 200 millimetres in height on the front and rear of the vehicle and not less than 70 millimetres in height on the side of the vehicle,
- (b) in the case of a destination, are not less than 125 millimetres in height on the front of the vehicle and not less than 70 millimetres in height on the side of the vehicle,
- (c) contrast with the display background, and
- (d) in the case of destination information, is not written in capital letters only.

(2) In this regulation—

“character” means capital letters or numbers of a height (as specified in paragraph (1) (a) and (b) above) and lower case letters of a size relative to the text of a capital letter for a given typeface;

“destination” means a word or words to describe the route or final destination; and

“route number” means any combination of numbers or letters which designate a route.”.

Amendment to Schedule 6 (Form of certificate of initial fitness)

12. For the Form set out in Schedule 6, there shall be substituted the Form set out in Schedule 1 to these Regulations.

Amendment to Schedule 8 (Form of declaration of conformity to an approved type vehicle)

13. For the Form set out in Schedule 8, there shall be substituted the Form set out in Schedule 2 to these Regulations.

Amendment to Schedule 9 (Form of certificate of conformity)

14. For the Form set out in Schedule 9, there shall be substituted the Form set out in Schedule 3 to these Regulations.

Signed by authority of the Secretary of State for Transport, Local Government and the Regions

15th February 2002

Sally Keeble
Parliamentary Under-Secretary of State,
Department for Transport

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 12

FORM OF CERTIFICATE OF INITIAL FITNESS

DEPARTMENT FOR TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS
CERTIFICATE No.

Public Passenger Vehicles Act 1981

Certificate of Initial Fitness

I, the undersigned, a Vehicle Examiner duly appointed by the Secretary of State, hereby certify, in accordance with the provisions of the Public Passenger Vehicles Act 1981, that the vehicle described below fulfils the prescribed conditions as to fitness in respect of its use as a Public Service Vehicle.

DESCRIPTION OF VEHICLE

Chassis No. Registration Mark

Make and Model.....

Year of Manufacture of Chassis or first registration

Type of body.....

Passenger Carrying Capacity:

(a) *Where the wheelchair spaces on the vehicle are unoccupied by a wheelchair—*

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

(b) *Where the wheelchair spaces on the vehicle are fully occupied by wheelchairs—*

Maximum number of wheelchairs

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

Date of Issue

..... Vehicle Examiner

SCHEDULE 2

FORM OF DECLARATION OF CONFORMITY TO AN APPROVED TYPE VEHICLE

DEPARTMENT FOR TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS

No.

PSV Type Approval

Declaration of Conformity to an Approved Type Vehicle

DESCRIPTION OF VEHICLE

Registration Mark (if any)

Make, model and year of manufacture of chassis.....

.....

Chassis Number

Type of Body

Passenger Carrying Capacity:

(a) Where the wheelchair spaces on the vehicle are unoccupied by a wheelchair—

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

(b) Where the wheelchair spaces on the vehicle are fully occupied by wheelchairs—

Maximum number of wheelchairs

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

I, the undersigned, being a person duly authorised in this behalf by the manufacturer of the chassis of the vehicle described above, hereby declare that the chassis of the vehicle conforms in design, construction and equipment with the chassis of the type vehicle to which Type Approval Certificate number.....

was granted by the Secretary of State on.....
for its use as a Public Service Vehicle.

Dated this day of..... 20

Signature

(For and on behalf of.....
the manufacturer of the chassis of the above vehicle)

Address

I, the undersigned, being a person duly authorised in this behalf by the builder of the body of the vehicle described above, hereby declare that the body of the vehicle conforms in design, construction and equipment with the body of the type vehicle to which Type Approval Certificate number.....

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was granted by the Secretary of State on.....
for its use as a Public Service Vehicle.

Dated this day of 20

Signature

(For and on behalf of
the builder of the body of the above vehicle)

Address

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SCHEDULE 3

Regulation 14

FORM OF CERTIFICATE OF CONFORMITY

DEPARTMENT FOR TRANSPORT, LOCAL GOVERNMENT AND THE REGIONS
CERTIFICATE No.

Public Passenger Vehicles Act 1981

PSV Type Approval

Certificate of Conformity to an Approved Type Vehicle

I, the undersigned, a Vehicle Examiner duly appointed by the Secretary of State, hereby certify, in accordance with the provisions of the Public Passenger Vehicles Act 1981, that the vehicle described below conforms to the type vehicle to which Type Approval Certificate number was granted by the Secretary of State on for its use as a Public Service Vehicle.

DESCRIPTION OF VEHICLE

Chassis No. Registration Mark

Make and model

Year of Manufacture of Chassis or First Registration

Type of body

Passenger Carrying Capacity:

(a) *Where the wheelchair spaces on the vehicle are unoccupied by a wheelchair—*

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

(b) *Where the wheelchair spaces on the vehicle are fully occupied by wheelchairs—*

Maximum number of wheelchairs

Seated Upper Deck

Seated Lower Deck Standing Lower Deck

Dated of issue

.....
Vehicle Examiner

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EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations are made partly in consequence of the Public Service Vehicles Accessibility Regulations 2000 (SI 2000/1970 – “the 2000 Regulations”), which imposed new accessibility requirements for disabled persons (particularly those in wheelchairs) to single-deck and double-deck buses and coaches, and partly in order to apply certain provisions to all public service vehicles on account of the fact that on a voluntary basis more vehicles are being made accessible to disabled persons. Accordingly, amendments are made to the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981/257 – “the 1981 Regulations”) to update certain provisions and to provide certain alternative provisions in line with the 2000 Regulations so as to provide for consistency between the requirements under the 1981 Regulations and the provisions that now apply to and regulate new public service vehicles under the 2000 Regulations.

The principal amendments are—

1. to regulation 6 (stability), by including the deemed weight of a wheelchair and wheelchair user to be 180 kilograms for the purposes of stability tests (*regulation 4*);
2. to regulation 20 (steps, platforms and stairs), by disapplying existing step requirements where the improved step provisions of the 2000 Regulations are met (*regulation 5*);
3. to regulations 21 (number, position and size of entrances and exits) and 22 (width of entrances and exits), by disapplying existing width requirements where the width of an entrance or exit is not less than 800 millimetres for wheelchair access (*regulations 6 and 7*);
4. to regulation 23 (doors), by permitting the fitting of devices designed so that the motion of the vehicle will prevent an entrance or an exit door from being readily opened (*regulation 8*);
5. to regulation 26 (width of gangways), by permitting the requirements of the 2000 Regulations as an alternative to the existing requirements for all public service vehicles and the removal from the 1981 Regulations of certain gangway provisions (*regulation 9*);
6. to regulation 28 (seats), by relieving regulated public service vehicles fitted with seats that comply with the requirements of the 2000 Regulations from having to comply with those requirements of the 1981 Regulations (*regulation 10*); and
7. the introduction of requirements in relation to route and destination displays (*regulation 11*).

New forms for certificates of initial fitness, for declarations of conformity to an approved type vehicle and for certificates of conformity are also prescribed (*regulations 12 to 14*).

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.