

2003 No. 38

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2003

Made 23rd January 2003

Coming into operation 30th April 2003

The Department of the Environment, in exercise of the powers conferred on it by Articles 55(1) and (6) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 30th April 2003.

(2) In these Regulations “the principal Regulations” means the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(b).

Amendment to regulation 2 (interpretation)

2. Regulation 2 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) At the beginning, there shall be inserted –

“ “the 2003 Regulations” means the Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003(c);”.

(3) 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 2003 Regulations (priority seats);

“regulated public service vehicle” means a public service vehicle to which the 2003 Regulations apply; and

“wheelchair user” has the same meaning as in paragraph 1 of Schedule 1 to the 2003 Regulations.”.

Amendment to regulation 4 (stability)

3.—(1) Regulation 4 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(a) S.I. 1995/2994 (N.I. 18); *see* Article 2(2) for the definition of “the Department”
(b) S.R. 1995 No. 447 to which there are amendments not relevant to these Regulations
(c) S.R. 2003 No. 37

(2) In paragraph (1)(b), after the word “passengers” there shall be inserted the words “(including any passengers who are wheelchair users)”.

(3) For paragraph (3) there shall be substituted –

“(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 13 (steps, platforms and stairs)

4. In regulation 13 of the principal Regulations, 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 2003 Regulations and which meet those requirements.”.

Amendment to regulation 14 (number, position and size of entrances and exits)

5. In regulation 14 of the principal Regulations, after paragraph (12) there shall be added 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 15 (width of entrances and exits)

6. In regulation 15 of the principal Regulations, 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 and unobstructed width of not less than 800 millimetres for wheelchair access.”.

Amendment to regulation 16 (doors)

7.—(1) Regulation 16 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) –

(a) in sub-paragraph (b), after the reference to “paragraph (2)” there shall be inserted the words “and paragraph (6)”; and

(b) in sub-paragraph (f), after the word “but” there shall be inserted the words “(subject to paragraph (6))”.

(3) After paragraph (5), there shall be added the following paragraph –

“(6) 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.”.

Amendment to regulation 19 (width of gangways)

8.—(1) Regulation 19 of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1) –

(a) for the words “paragraphs (2) and (3)” there shall be substituted “paragraphs (2), (3) and (4)”; and

(b) sub-paragraph (d) shall be omitted.

(3) In paragraph (2), the proviso following the words “the width of a gangway” shall be omitted.

(4) 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.”.

Amendment to regulation 21 (seats)

9.—(1) Regulation 21 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1) –

(a) after the words “Subject to”, there shall be inserted the words “paragraph (5) of this regulation and to”; and

(b) sub-paragraph (f) shall be omitted.

(3) 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 2003 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 2003 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 backrest 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.”.

Amendment to regulation 22 (crew seats)

10. In paragraph (4) of regulation 22 of the principal Regulations, for the words “paragraph (1)(a) to (f)” there shall be substituted “paragraph (1)(a) to (e)”.

Route and destination displays

11. After regulation 60 (use of seats) there shall be inserted the following regulation –

“Route and destination displays

60A.—(1) A person shall not 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 2003 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)) 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 1 (exceptions from the provisions prescribed in Part II as applicable to vehicles registered before certain dates)

12.—(1) Schedule 1 shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph 9, the second entry in columns 1 and 2 of the Table shall be omitted.

(3) In paragraph 11(b), for the words “paragraph (1)(f) and (g)” there shall be substituted “paragraph (1)(g)”.

Sealed with the Official Seal of the Department of the Environment on 23rd January 2003.

(L.S.)

Wesley Shannon

A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations are made partly in consequence of the Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003 (S.R. 2003 No. 37 – “the 2003 Regulations”), which impose 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 and Use) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 447 – “the 1995 Regulations”) to update certain provisions and to provide certain alternative provisions in line with the 2003 Regulations so as to provide for consistency between the requirements under the 1995 Regulations and the provisions that now apply to and regulate new public service vehicles under the 2003 Regulations.

The principal amendments are –

1. to regulation 4 (stability), by including the deemed weight of a wheelchair and wheelchair user to be 180 kilograms for the purposes of stability tests (regulation 3);
2. to regulation 13 (steps, platforms and stairs), by disapplying existing step requirements where the improved step provisions of the 2003 Regulations are met (regulation 4);
3. to regulations 14 (number, position and size of entrances and exits) and 15 (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 5 and 6);
4. to regulation 16 (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 7);
5. to regulation 19 (width of gangways), by permitting the requirements of the 2003 Regulations as an alternative to the existing requirements for all public service vehicles and the removal from the 1995 Regulations of certain gangway provisions (regulation 8);
6. to regulation 21 (seats), by relieving regulated public service vehicles fitted with seats that comply with the requirements of the 2003 Regulations from having to comply with those requirements of the 1995 Regulations (regulation 9); and
7. the introduction of requirements in relation to route and destination displays (regulation 11).

There are consequential amendments to regulation 22 (crew seats) and Schedule 1 (exceptions) (regulations 10 and 12).

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