

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Carrying Capacity) Regulations 1984.

Regulation 5(1) of the 1984 Regulations prohibits the driving of a public service vehicle adapted to carry more than eight passengers if the number of seated passengers exceeds the number of seats available for passengers. A child under 5 years who is not occupying a seat does not count as a passenger for the purpose of that provision.

Previously three seated children counted as two passengers for the purposes of that provision in all cases. These Regulations amend regulation 5 so that three children count as two passengers only if none of them are occupying a seat provided with a seat belt.