

2009 No. 143

DISABLED PERSONS

**The Public Service Vehicles Accessibility (Amendment)
Regulations 2009**

<i>Made</i>	- - - -	<i>29th January 2009</i>
<i>Laid before Parliament</i>		<i>3rd February 2009</i>
<i>Coming into force</i>	- -	<i>3rd March 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 40(1), (2) and (6) and 41(2) of the Disability Discrimination Act 1995(a).

In accordance with section 40(7) of that Act he has consulted the Disabled Persons Transport Advisory Committee and such other representative organisations as she thinks fit.

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles Accessibility (Amendment) Regulations 2009 and shall come into force on 3rd March 2009.

Amendment of the Public Service Vehicles Accessibility Regulations 2000

2.—(1) Regulation 5 of the Public Service Vehicles Accessibility Regulations 2000(b) is amended as follows.

(2) For paragraph (2), substitute—

“(2) In the case of a bus which has not been issued with an accessibility certificate pursuant to paragraph (1), the requirements of these Regulations specified in Schedule 1, or Schedule 2 (but not paragraph 8 of Schedule 2), shall not apply if the bus satisfies—

(a) the requirements of—

- (i) such of Annexes I to VI and VIII and IX to the 2001 Directive as apply to it; and
- (ii) Annex VII to the 2001 Directive; or

(b) the requirements of—

- (i) such of Annexes 3 to 7 and 9 to ECE Regulation 107.01 or 107.02 as apply to it; and
- (ii) Annex 8 to ECE Regulation 107.01 or 107.02,

and in such a case the vehicle examiner may issue an accessibility certificate in respect of the bus as though the bus had complied with those requirements of these Regulations.”.

(a) 1995 c. 50.

(b) S.I. 2000/1970; relevant amending instruments are S.I. 2000/3318, 2002/2981 and 2005/2988.

(3) For paragraph (3), substitute—

“(3) The requirements of these Regulations specified in Schedule 1, or Schedule 3 (but not paragraph 7 of Schedule 3), shall not apply to a coach which satisfies—

(a) the requirements of—

(i) such of Annexes I to VI and VIII and IX to the 2001 Directive as apply to it; and

(ii) Annex VII to the 2001 Directive; or

(b) the requirements of—

(i) such of Annexes 3 to 7 and 9 to ECE Regulation 107.01 or 107.02 as apply to it; and

(ii) Annex 8 to ECE Regulation 107.01 or 107.02,

and in such a case the vehicle examiner may issue an accessibility certificate in respect of the coach as though the coach had complied with those requirements of these Regulations.”.

(4) In paragraph (4), after “2001 Directive” insert “or the requirements of ECE Regulation 107.01 or 107.02”.

(5) In paragraph (5), after sub-paragraph (c) add—

“(d) “ECE Regulation 107” means Regulation No. 107 containing uniform provisions concerning the approval of category M2 or M3 vehicles with regard to their general construction which came into force on 18th June 1998 as an annex to the UNECE Agreement;

(e) “ECE Regulation 107.01” means Regulation No. 107 as amended by the 01 series of amendments on 12th August 2004;

(f) “ECE Regulation 107.02” means Regulation No. 107 as amended by the 02 series of amendments on 10th November 2007; and

(g) “the UNECE Agreement” means the Agreement of the United Nations Economic Commission for Europe concluded on 20th March 1958 as amended concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions, to which the United Kingdom is a party by virtue of an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.”.

Signed by authority of the Secretary of State

29th January 2009

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Public Service Vehicles Accessibility Regulations 2000 (“the 2000 Regulations”) prescribe wheelchair accessibility requirements and general accessibility requirements for single-deck and double-deck buses and coaches. These Regulations amend the 2000 Regulations so as to give effect to ECE Regulation 107.01 and 107.02 (uniform provisions concerning the approval of category M2 or M3 vehicles with regard to their general construction).

Regulation 2 amends regulation 5 of the 2000 Regulations so that the specified requirements may alternatively be met by a vehicle satisfying both the requirements of such Annexes as apply to it and the requirements of Annex 8 to ECE Regulation 107.01 or 107.02. It also inserts definitions of ECE Regulations 107.01 and 107.02 into regulation 5(5) of the 2000 Regulations.

An impact assessment has not been produced for this instrument as no impact on the costs of business, the public sector, third party sector organisations, regulators or consumers is foreseen.

Copies of ECE Regulations referred to in these Regulations can be obtained from the Stationery Office (telephone: 0870 2600 5522, website www.tsoshop.co.uk) or from the UNECE website <http://www.unece.org/trans/main/wp29/wp29regs101-120.html>.

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STATUTORY INSTRUMENTS

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