STATUTORY RULES OF NORTHERN IRELAND

2011 No. 304

ROAD TRAFFIC AND VEHICLES

The Public Service Vehicles Accessibility (Amendment) Regulations (Northern Ireland) 2011

Made - - - -	*8th September 2011*
Coming into operation	*14th October 2011*

The Department of the Environment 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(**1**).

In accordance with section 40(7) of that Act the Department has consulted such representative organisations as it thinks fit.

Citation, commencement and interpretation

1.—(1) These Regulations may be citied as the Public Service Vehicles Accessibility (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 14th October 2011.

(2) In these Regulations "the principal Regulations" means the Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003(**2**).

(3) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of regulation 2 (Interpretation)

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

(2) After the definition of "double-deck" insert—

> ""ECE Regulation 107" means Regulation No. 107 (uniform provisions concerning the approval of M2 and M3 vehicles with regard to their general construction) which came into force on 18th June 1998 as an Annex to the UNECE Agreement;
>
> "ECE Regulation 107.01" means Regulation No. 107 as amended by the 01 series of amendments on 12th August 2004;

(**1**) 1995 c. 50
(**2**) S.R. 2003 No. 37, relevant amending Regulations are S.R. 2006 No. 249
(**3**) 1954 c. 33 (N.I.)

"ECE Regulation 107.02" means Regulation No. 107 as amended by the 02 series of amendments on 10th November 2007;".

(3) After the definition of "type vehicle approval" insert—

""UNECE Agreement" means the Agreement of the United Nations Economic Commission for Europe concluded at Geneva 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 the 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;".

Amendment of regulation 5 (Recognition of compliance with EC and EEA equivalent requirements)

3. For regulation 5 of the principal Regulations substitute—

"**Recognition of compliance with equivalent requirements**

5.—(1) Where a Certificate of Conformity has been issued on the basis that a Class I bus complies with Article 3 of the 2001 Directive, the requirements of these Regulations specified in Schedule 1, or Schedule 2 (but not paragraph 8 of Schedule 2), shall not apply to that bus, 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.

(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.

(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,