STATUTORY RULES OF NORTHERN IRELAND

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(**1**) 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(**2**).

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(**3**);".

(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

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

"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).

(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.".