1995 No. 446

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1995

Made . . . . . 4th December 1995

Coming into operation . . . 24th January 1996

The Department of the Environment, in exercise of the powers conferred on it by Articles 61(1), 66(1), 80 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 24th January 1996.

Amendment of the Public Service Vehicles Regulations (Northern Ireland) 1985

2. The Public Service Vehicles Regulations (Northern Ireland) 1985(**b**) shall be amended as follows—

(1) In regulation 3(1) (interpretation)—

(*a*) in the definition of "bus" for the words "six persons" there shall be substituted "eight passengers";

(*b*) after the definition of "the Community Recording Equipment Regulation" there shall be inserted the following definition—

" "the Conditions of Fitness Regulations" means the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(**c**);";

(*c*) after the definition of "the Order" there shall be inserted the following definition—

" "the 1995 Order" means the Road Traffic (Northern Ireland) Order 1995(**d**);"; and

(*d*) in the definition of "taxi" for the words "six passengers" there shall be substituted "eight passengers".

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"
(b) S.R. 1985 No. 123; relevant amending Regulations are S.R. 1990 No. 201, S.R. 1991 No. 445, S.R. 1993 No. 86 and S.R. 1994 No. 225
(c) S.R. 1995 No. 447
(d) S.I. 1995/2994 (N.I. 18)

(2) In regulation 6 (inspection of vehicle and grant of licence)—

(*a*) in paragraph 2(*a*) for the words "relating to the construction and condition of motor vehicles, their accessories and equipment;" there shall be substituted "; and";

(*b*) at the end of paragraph (2)(*b*) "; and" shall be omitted and a comma inserted;

(*c*) paragraph (2)(*c*) shall be omitted;

(*d*) in paragraph (3) for the words "regulations 18 and 20 and, save in the case of a vehicle mentioned in regulation 22" there shall be substituted "regulations 61 and 62 of the Conditions of Fitness Regulations and, save in the case of a vehicle mentioned in regulation 63 of those Regulations"; and

(*e*) for paragraph (4) there shall be substituted—

"(4) For the purposes of paragraph (2) "the statutory requirements" means the Conditions of Fitness Regulations; the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**a**); the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973(**b**) and the Road Vehicles Lighting Regulations (Northern Ireland) 1995(**c**) and the inspection shall include the items in Schedule 3 applicable to the vehicle being inspected.".

(3) In regulation 7 (licence and disc) in paragraph (2) for the words "an inspector of vehicles shall affix a disc to the vehicle" there shall be substituted "the Department shall issue a disc for the vehicle".

(4) In regulation 10 (refund of fees), in paragraph (2), in the definition of "exceptional circumstances", the words "an epidemic, severe weather," shall be omitted.

(5) In regulation 12 (duplicate licence or disc), in paragraph (1), and in regulation 16 (change of address of licensee), for the word "owner" there shall be substituted "licensee".

(6) In regulation 13 (conditions of licence)—

(*a*) at the end of paragraph (*j*) there shall be omitted the word "and";

(*b*) at the end of paragraph (*k*) for the words "regulation 39(2)(*b*)." there shall be substituted "regulation 46(14)(*b*) of the Conditions of Fitness Regulations; and"; and

(*c*) after paragraph (*k*) there shall be added the following paragraph—

"(*l*) shall not remove or tamper with any seal affixed to a taximeter.".

(7) In regulation 17 (revocation or suspension of licence)—

(*a*) in paragraph (1) for sub-paragraph (*e*) there shall be substituted the following sub-paragraph—

(**a**) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1991 No. 147, 1991 No. 420, 1992 No. 54, 1992 No. 111, 1992 No. 373, 1992 No. 509, 1993 No. 39, 1993 No. 247, 1994 No. 231 and 1994 No. 452

(**b**) S.R. & O. 1973 No. 490, relevant amending Regulations are S.I. 1976/2180

(**c**) S.R. 1995 No. 449