1990 No. 201

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1990

Made	*29th May 1990*
Coming into operation . .	*9th July 1990*

The Department of the Environment, in exercise of the powers conferred on it by Article 10(1) of the Transport (Northern Ireland) Order 1977(**a**), Articles 61(1), (4) and (5), 66(1) and 218(1) and (3) of the Road Traffic (Northern Ireland) Order 1981(**b**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 9th July 1990.

Amendment of the 1985 Regulations

2. The Public Service Vehicles Regulations (Northern Ireland) 1985(**c**) are amended as follows:

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

(*a*) insert at the appropriate places—

" ''licensed for private hire'' in relation to a taxi means licensed to carry passengers for hire but not for standing or plying for hire on a road or public place;'';

" ''licensed for public hire'' in relation to a taxi means licensed to stand or ply for hire on a road or public place;'';

" ''multi-journey ticket'' means a ticket authorising travel on a vehicle for more than one journey;''; and

(*b*) for the definition of ''taxi'' substitute—

" ''taxi'' means a vehicle seating not more than six passengers in addition to the driver;''.

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

(*a*) at the end of paragraph (2)(*a*) delete ''and'';

(*b*) at the end of paragraph (2)(*b*) for the comma substitute ''; and''; and

(*c*) after paragraph (2)(*b*) add—

(**a**) S.I. 1977/599 (N.I. 10) as amended by para. 19 of Sch. 7 to S.I. 1981/154 (N.I. 1)
(**b**) S.I. 1981/154 (N.I. 1)
(**c**) S.R. 1985 No. 123; relevant amending Regulations are S.R. 1986 No. 33

"(*c*) as regards taxis licensed for public hire and fitted with a taximeter, the requirements relating to plates referred to in regulation 39(2)(*b*).".

(3) In regulation 13 (conditions of licence) delete "and" at the end of paragraph (*i*), delete the full stop and insert "; and" at the end of paragraph (*j*) and add the following new paragraph—

"(*k*) shall, on the sale or other change of ownership of a vehicle—

(i) forward the licence and disc in respect of it together with the name and address of the transferee to the nearest centre;

(ii) in the case of a taxi licenced for public hire also forward to the nearest centre the plates referred to in regulation 39(2)(*b*).".

(4) For paragraph (1) of regulation 15 (transfer of licence) substitute the following paragraph—

"(1) On the sale or other change of ownership of a vehicle the Department may transfer the licence to the transferee.".

(5) For regulation 35(4) (testing, maintenance, etc.) substitute—

"(4) The owner or driver of a taxi fitted with a taximeter and licensed for public hire shall not use it for that purpose unless the taximeter complies with the provisions of paragraphs (1), (2) and (3).".

(6) For regulation 36(1) (sealing) substitute—

"(1) The owner or driver of a taxi fitted with a taximeter and licensed for public hire shall not use it for that purpose unless the taximeter is sealed in a manner approved by the Department.".

(7) For regulation 37(6) (construction) substitute—

"(6) The owner or driver of a taxi fitted with a taximeter and licensed for public hire shall not use it for that purpose unless the taximeter complies with the provisions of paragraphs (1) to (5).".

(8) In regulation 39 (markings on certain vehicles)—

(*a*) in paragraph (1) for the words "vehicle other than a taxi" substitute "bus";

(*b*) in paragraph (1)(*b*) delete the words "in the case of a bus,"; and

(*c*) for paragraph (2) substitute—

"(2) The owner or driver of a taxi fitted with a taximeter and licensed for public hire shall—

(*a*) exhibit in a conspicuous position in the vehicle a statement called "a fares board" displaying in legible letters and figures the fares which shall be paid by the passengers; and

(*b*) affix and keep affixed in a conspicuous position on the outside of the vehicle at the front and rear a plate supplied by the Department as illustrated in Schedule 10.".

(9) After regulation 39 insert—

"*Roof signs*

39A.—(1) Subject to paragraph (5) the owner or driver of a taxi licensed for public or private hire, as the case may be, shall not use it for

that purpose unless there is displayed a sign which is mounted on and fixed safely to the roof of the vehicle and which complies with the requirements of paragraphs (2), (3) and (4).

(2) The sign shall—

(*a*) be fitted so as not to cause danger to a person in the vehicle or a person entering or alighting from the vehicle or on a road;

(*b*) be mounted centrally and positioned transversely when viewed from the front of the vehicle;

(*c*) not overhang the roof or measure less than 750mm across but may occupy the breadth of the roof;

(*d*) not project more than 250mm above the highest part of the roof;

(*e*) subject to paragraph (3) display to the front on a white background in clear and legible black letters the licensee's name or trading name or the word "Taxi";

(*f*) display to the rear a telephone number only;

(*g*) subject to paragraph (3) be illuminated internally during the hours of darkness to show a steady white light to the front and a steady red light to the rear;

(*h*) be fused at source against electrical short circuit; and

(*i*) not cause dazzle or discomfort to other road users.

(3) In the case of a taxi licensed for public hire and used for that purpose outside the City of Belfast—

(*a*) the background referred to in paragraph (2)(*e*) shall be amber instead of white; and

(*b*) the light shown to the front referred to in paragraph 2(*g*) shall be amber instead of white.

(4) No person shall place anything on the roof of a taxi which shall have the effect of obscuring the sign.

(5) This regulation shall not apply to a taxi—

(*a*) which is being used for the purpose of a wedding, funeral or for purposes in connection with the Northern Ireland Civil Service, industry or commerce;

(*b*) which is fitted with a taximeter and used from a taxi stand in the City of Belfast; or

(*c*) which conforms to the following specifications—

(i) it has a saloon body with a solid partition separating the driver's seat from the passengers' compartment, the partition extending from the floor to the roof and fitted with a sliding window which can be opened by the passengers;

(ii) the height inside the passengers' compartment is at least 1.21 metres from the floor to the roof and the distance from the partition to the front of the cushion of the back seat at least 0.76 metres;

(iii) the back seat cushion measures at least 0.45 metres from front to rear; and.

(iv) there are separate entrances to the driver's and passengers' compartments.''.

(10) In regulation 41 (fire extinguishing apparatus)—

(*a*) delete paragraph (3); and

(*b*) re-number paragraph (4) as paragraph (3).

(11) For regulation 47 (conduct of driver) substitute—

''*Conduct of drivers and other persons employed in connection with vehicles*

47.—(1) A driver shall not, when a vehicle is in motion, hold a microphone unless it is necessary for him, either in an emergency or on grounds of safety, to speak into the microphone.

(2) Subject to paragraph (3) a driver shall not, when a vehicle is in motion, speak to any person either directly or by means of a microphone.

(3) The prohibition in paragraph (2) shall not apply to the driver of a vehicle—

(*a*) speaking in circumstances where he is obliged to do so by reason of an emergency or on grounds of safety;

(*b*) speaking to the operator or a person authorised by the operator in relation to the location, progress or working of the vehicle and is doing so without being distracted from his driving of the vehicle; or

(*c*) which is being used to provide a service which is not an excursion or tour, making short statements from time to time in relation to the location, progress or working of the vehicle and is doing so without being distracted from his driving of the vehicle.

(4) A driver or other person employed in connection with vehicles—

(*a*) shall conduct himself in an orderly manner and with civility and propriety towards passengers and intending passengers; and

(*b*) shall not, without reasonable excuse, refuse or neglect to comply with any proper request from passengers or intending passengers.

(5) In this regulation—

(*a*) ''operator'' means the holder of a licence under Article 61 of the Order in respect of the vehicle; and

(*b*) ''excursion or tour'' means a service for the carriage of passengers by road at separate fares on which the passengers travel on a journey, with or without breaks, from one or more places to one or more other places and back or a service the primary purpose of which is sightseeing.''.

(12) In regulation 50(2) (smoking) delete the words ''Except where a vehicle is let on hire for a specific sum,''.

(13) In regulation 51 (conduct of passengers)—

(*a*) at the end of paragraph (1)(*g*) delete the full stop, insert a semi-colon and add the following sub-paragraphs—

''(*h*) travel on the upper deck of a vehicle unless he occupies a seat provided for passengers;