1985 No. 123

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles Regulations (Northern Ireland) 1985

Made . . . . . *29th May 1985*

Coming into operation . . . *8th July 1985*

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

	Regulation
Citation and commencement	1
Revocation	2
Interpretation	3
Certificates of exemption	4

PART II

VEHICLE LICENCES

Application, fee and conditions for grant of vehicle licence	5
Inspection of vehicle and grant of licence	6
Licence and disc	7
Refusal of licence	8
Re-inspection of vehicle	9
Refund of fees	10
Removal of vehicle presented for inspection	11
Duplicate licence or disc	12
Conditions of licence	13
Alteration of licence or disc	14
Transfer of licence	15
Change of address of licensee	16
Revocation or suspension of licence	17
Calculation of maximum seating capacity	18
Prohibition of carrying in excess of maximum seating capacity	19
Calculation of maximum standing capacity	20
Prohibition of carrying in excess of maximum standing capacity	21
Exemption	22
Insurance of vehicle	23

PART III

VEHICLE DRIVERS' LICENCES

	Regulation
Application and fee for driver's licence	24
Medical certificate	25
Examination of applicant	26
Form of licence	27
Refusal of licence	28
Duration and renewal of licence	29
Duplicate licence	30
Exchange of licence	31
Revocation or suspension of licence	32
Production of licence	33
Change of address of licence holder	34

PART IV

TAXIMETERS

Testing, maintenance, etc.	35
Sealing	36
Construction	37
Misusage and repair	38

PART V

GENERAL

Markings on certain vehicles	39
Repair outfit	40
Fire extinguishing apparatus	41
Destination boards	42
Obstructions	43
Obstruction of the driver	44
Inflammable spirit	45
Drawing of trailers	46
Conduct of driver	47
Duties of driver	48
Touting	49
Smoking	50
Conduct of passengers	51
Fares and tickets	52, 53
Carriage of animals	54
Carriage of luggage	55
Carriage of offensive or dangerous material	56
Contravention of regulations 50 to 56	57
Lost property	58 to 60

SCHEDULES

		Page
SCHEDULE 1	Regulations revoked	18
SCHEDULE 2	Certificate of exemption	19
SCHEDULE 3	Items included in inspection	20
SCHEDULE 4	Part I — Licence for a taxi to stand or ply for hire or carry passengers for hire	22
	Part II — Licence for a taxi to carry passengers for hire	23
SCHEDULE 5	Licence for a bus	24
SCHEDULE 6	Licence for driver of a public service vehicle	25
SCHEDULE 7	Fees for vehicle and drivers' licences	26
SCHEDULE 8	Fire extinguishing apparatus	27
SCHEDULE 9	Discs for buses and taxis	28

The Department of the Environment, being a department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the regulation of the type, description, construction or equipment of vehicles, the regulation and supervision of the working conditions of persons engaged in road transport, and the testing of the roadworthiness of motor vehicles and their trailers, in exercise of the powers conferred by that section, and in exercise of the powers conferred on it by Articles 61(1), (4) and (5), 62(1), 66(1), 70(4) and (5), 80 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**c**), Article 10(1) of the Transport (Northern Ireland) Order 1977(**d**), and of all other powers enabling it in that behalf and with the approval of the Department of Finance and Personnel(**e**) as regards regulations 5(3), 9(2) and (3), 10, 12(1), 24(3), 30(1) and 31(3) makes the following regulations:

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Public Service Vehicles Regulations (Northern Ireland) 1985 and shall come into operation on 8th July 1985.

Revocation

2. The regulations specified in Schedule 1 are revoked.

Interpretation

3.—(1) In these regulations—

"bus" means an omnibus, that is, a vehicle seating more than six persons in addition to the driver;

"centre" means a vehicle inspection centre of the Department used by an inspector of vehicles for the inspection of vehicles;

"the Community Recording Equipment Regulation" means Council Regulation (EEC) No. 1463/70 of 20th July 1970 on the introduction of recording equipment in road transport(**f**) as amended by Council Regulations (EEC)

(**a**) S.Is. 1972/1811, 1975/1707 and 1977/1718
(**b**) 1972 c. 68
(**c**) S.I. 1981/154 (N.I. 1)
(**d**) S.I. 1977/599 (N.I. 10)
(**e**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3
(**f**) O.J. No. L164/1 of 27.7.70

Nos. 1787/73(**a**) and 2828/77(**b**) and as read with the Community Road Transport Rules (Exemptions) Regulations (Northern Ireland) 1979(**c**);

"double-decked vehicle" means a vehicle having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

"gangway" means the space provided for obtaining access from any entrance to the passengers' seats or from any such seats to an exit other than an emergency exit but does not include a staircase or any space in front of a seat which is required only for the use of passengers occupying that seat;

"the Order" means the Road Traffic (Northern Ireland) Order 1981;

"public place" includes a railway station or bus station or an airport;

"registration mark" means the mark indicating the registered number assigned to a vehicle under the Vehicles (Excise) Act (Northern Ireland) 1972(**d**);

"single-decked vehicle" means a vehicle with only one deck;

"taxi" means a motor hackney carriage, that is, a vehicle seating not more than six persons in addition to the driver;

"vehicle" means a public service vehicle.

(2) The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

Certificates of exemption

4. A certificate of exemption for the purpose of a public service vehicle defined in Article 2(2) of the Order shall be in the form set out in Schedule 2.

PART II

VEHICLE LICENCES

Application, fee and conditions for grant of vehicle licence

5.—(1) An application for a vehicle licence shall be made to the Department on a form issued by the Department.

(2) The applicant shall furnish all relevant particulars and make any relevant declaration specified in such form.

(3) Each application shall be accompanied by the appropriate fee prescribed in paragraph 1 of Schedule 7.

(4) Where an application is made by—

(*a*) a corporate body with its principal or registered office outside Northern Ireland; or

(*b*) a person residing outside Northern Ireland,

the applicant shall satisfy the conditions specified in paragraph (5).

(5) The conditions mentioned in paragraph (4) are that the applicant shall—

(*a*) during the currency of the licence retain a place of business in Northern Ireland;

(**a**) O.J. No. L181/1 of 4.7.73
(**b**) O.J. No. L334/5 of 24.12.77
(**c**) S.R. 1979 No. 121 as amended by S.R. 1980 No. 83 and other amendments not relevant to these regulations
(**d**) 1972 c. 10 (N.I.)
(**e**) 1954 c. 33 (N.I.)

(*b*) undertake to accept service, at that place, of summonses and other documents relating to matters and offences arising in Northern Ireland in connection with the vehicle for which the licence is applied; and

(*c*) undertake to appear at any court as required by such summons or other document.

(6) A licence shall not be granted to a person under the age of eighteen years.

Inspection of vehicle and grant of licence

6.—(1) On being notified in writing by the Department, the applicant shall present the vehicle for inspection in clean condition, together with the registration book and previous licence, if any, at the time and centre specified in the notice.

(2) Where after inspecting the vehicle the Department is satisfied that it complies in all respects with—

(*a*) the statutory requirements relating to the construction and condition of motor vehicles, their accessories and equipment; and

(*b*) as regards vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, the requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be affixed to such equipment,

it shall grant a licence.

(3) An inspector of vehicles shall determine the maximum passenger capacity of the vehicle in accordance with regulations 18 and 20 and, save in the case of a vehicle mentioned in regulation 22, specify such capacity on the licence and disc.

(4) For the purposes of paragraph (2) the inspection shall include the items in Schedule 3 applicable to the vehicle being inspected.

Licence and disc

7.—(1) A licence shall be in the form specified in Schedule 4 or 5.

(2) At the time when the licence is granted an inspector of vehicles shall affix a disc to the vehicle.

(3) The disc shall be in the form specified in Schedule 9 and shall be fitted to the vehicle in a conspicuous position on the inside surface of the nearside of the windscreen.

Refusal of licence

8.—(1) The Department may refuse to grant a licence if—

(*a*) the applicant has previously obtained a licence for a vehicle and that licence has been revoked or suspended;

(*b*) the applicant has failed to comply with a condition of a licence previously held by him; or

(*c*) the applicant has been convicted of an offence under any statutory provision relating to the licensing and regulation of vehicles.

(2) The Department shall refuse to grant a licence if—

(*a*) the applicant is not of good character and business repute or his financial position is such that he is not a fit and proper person to hold a licence; or

(*b*) the vehicle does not comply with the requirements specified in regulation 6(2).

(3) Where the Department refuses to grant a licence under paragraph (1) or (2) it shall serve written notice on the applicant stating the reasons for refusal.