1969. No. 310 **[C]**

PUBLIC SERVICE VEHICLES

REGULATIONS, DATED 25TH NOVEMBER 1969, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 19 OF THE MOTOR VEHICLES (TRAFFIC AND REGULATION) ACT (NORTHERN IRELAND) 1926, SECTION 72 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955 AND SECTION 21 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1967.

The Ministry of Home Affairs in exercise of the powers vested in it by Section 19 of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland) 1926(**a**), Section 72 of the Road Traffic Act (Northern Ireland) 1955(**b**), Section 21 of the Road Traffic Act (Northern Ireland) 1967(**c**) and of all other powers enabling it in that behalf with the approval of the Ministry of Finance for Northern Ireland in regard to the provisions contained in Regulation 2(9) and (13) hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Public Service Vehicles (Amendment) (No. 2) Regulations (Northern Ireland) 1969 and shall come into operation on 1st January 1970.

Regulations Amended

2. The Public Service Vehicles Regulations (Northern Ireland) 1965(**d**) shall have effect as though:—

(1) For paragraph (1) of Regulation 12 there were substituted the following paragraph:—

"*Disc and licence*

12.—(1) If the public service vehicle is found fit for public use the Inspector of Vehicles shall cause a disc to be affixed thereto in his presence, together with such mark or marks as the Ministry may from time to time direct, and shall at the same time determine the seating capacity of the vehicle in accordance with the provisions of Regulation 19. The disc shall be fitted to the left lower corner of the windscreen of each vehicle and the licensee shall provide the means of attachment for the disc."

(2) For the proviso to Regulation 14(3) there were substituted the following proviso:—

"Provided that—

(*a*) in the case of a motor hackney carriage licensed to stand or ply for hire a sign bearing the word "TAXI" or the words "FOR HIRE" may be displayed on the vehicle in a manner approved by the licensing officer; and

(*b*) suitable advertisements may be allowed on the inside of a motor hackney carriage subject to the approval of the licensing officer."

(**a**) 16 & 17 Geo. 5. c. 31 (N.I.).
(**b**) 1955. c. 27.
(**c**) 1967. c. 38 (N.I.).
(**d**) S.R. & O. (N.I.) 1965, No. 161.

(3) For Regulation 16 there were substituted the following Regulation:—

"*Defacement of licence or disc*

16. Any licence or disc defaced or upon which there is an erasure shall be void."

(4) For paragraph (4) of Regulation 19 there were substituted the following paragraph:—

"(4)(*a*) The number of passengers carried on an omnibus shall not exceed the seating capacity ascertained in accordance with the provisions of the preceding paragraph: Provided that:—

(i) for the purpose of this sub-paragraph a child under the age of five years shall not be regarded as a person;

(ii) where only children and, if any, not more than six necessary attendants are carried on a vehicle, then in reckoning the number of seated passengers carried on that vehicle three children not exceeding 15 years of age may be reckoned as two passengers, save that in the case of an omnibus with a seating capacity for not more than 12 passengers not more than 9 such children shall be so reckoned;

(iii) an omnibus which carries a conductor or in respect of which an authorisation has been given under Regulation 32 may carry a number of standing passengers not exceeding one-third of the number of passengers for which the vehicle, or in the case of a double-decked vehicle the lower deck, has seating capacity, or eight, whichever number is the lesser, if the standing passengers are taken up during the hours of peak traffic or in circumstances in which undue hardship would be caused to such passengers if they were not carried in the vehicle; but no standing passengers shall be carried:—

(*i*) on the upper deck of a double-decked vehicle;

(*ii*) on that part of any gangway of a vehicle forward of the rearmost part of the driver's seat;

(*iii*) on an omnibus with a seating capacity for not more than 12 passengers.

(*b*) The conductor, or where there is no conductor the driver, of an omnibus shall not permit any breach of this paragraph."

(5) In paragraph (5) of Regulation 19 the words "single-decked" were deleted.

(6) Regulation 21 were omitted.

(7) At the end of Regulation 22 there were added the words "and at any time during the currency of such a licence".

(8) After Regulation 22 there were inserted the following Regulation:—

"*Duration of Drivers' and Conductors' Licences*

22A. A licence to act as a driver or conductor of a public service vehicle shall, if not revoked or suspended, be in force for three years."

(9) For Regulation 23 there were substituted the following Regulation:—

"*Fees for Drivers' and Conductors' Licences*

23. The fee shall be twenty shillings for a licence to act as driver or conductor of a public service vehicle and such licence shall be respectively in the Form No. 10 or 11 in the First Schedule."

(10) In the proviso to Regulation 26 after the words "to act" there were inserted the words "as the conductor of a public service vehicle or".

(11) In Regulation 27 for the words "to an applicant" there were substituted the words "or remain in force".

(12) For Regulation 32 there were substituted the following Regulation:—

"Employment of Conductors

32. Except where authorised in writing by the Ministry an omnibus seating more than twenty passengers in addition to the driver shall not stand or ply for hire or carry passengers for hire unless in addition to the driver a conductor is employed thereon:

Provided that this Regulation shall not apply:—

(*a*) in any case where a single-decked omnibus is hired for a specific sum or at a specific rate per seat by an organised party, or is used to stand and ply for hire for particular tours and returns its passengers to the point from which they started;

(*b*) in the case of a single-decked omnibus the seating capacity of which does not exceed thirty-two passengers if the entrance and emergency exit are at the front of the vehicle and are easily visible to the driver from his seat and means are provided for the driver to be aware if any person outside the vehicle has been trapped by the closure of any door provided at such entrance."

(13) For Regulation 34 there were substituted the following Regulation:—

"Duplicate Licence, etc.

34. If a person to whom a licence has been granted under Part II of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland) 1926 satisfies the Ministry that:—

(*a*) the licence has been lost or accidentally defaced or destroyed, the Ministry shall issue to him a duplicate licence on payment of a fee of five shillings;

(*b*) the disc affixed to his vehicle in pursuance of Regulation 12 has been lost or accidentally defaced or destroyed, the Ministry shall issue to him a new disc on payment of a fee of five shillings.

An application for a duplicate licence or for a new disc shall be in the Form No. 13 or 14 in the First Schedule as the case may require. If at any time after the issue of a duplicate licence or disc it has come to the knowledge of the licensee that the original licence or disc has been found then the licensee shall take all reasonable steps to obtain possession of such original and shall return it to the office of the nearest Inspector of Vehicles or to any police station."

(14) Paragraph (2) of Regulation 37 were omitted.

(15) For Regulation 42 there were substituted the following Regulation:—

"Care of Disc, etc.

42. The driver or conductor of a public service vehicle shall not conceal, remove, alter or obliterate, or permit to be concealed, removed, altered or obliterated any disc, number or mark affixed to or placed on the vehicle in pursuance of these Regulations or by the authority of the Ministry."

(16) After Regulation 43 there were inserted the following Regulation:—

"Obstruction of the Driver

43A. No person nor any article shall be so carried in such a position as to be liable to obstruct the driver."

(17) In the proviso to Regulation 56(2) for the words "Ulster Transport Authority" there were substituted the words "Ulsterbus Limited".

(18) For the words "one year" where they appear in Forms No. 10 and No. 11 in the First Schedule there were substituted the words "three years".

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 25th day of November 1969.

(L.S.)

W. G. Robinson,
Assistant Secretary.

The provisions contained in the foregoing Regulation numbered 2(9) and (13) is hereby approved by the Ministry of Finance for Northern Ireland this 25th day of November 1969.

(L.S.)

C. F. Darling,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations further amend the Public Service Vehicles Regulations (Northern Ireland) 1965. The principal changes are:—

1. It will now be necessary for private-hire taxis to display the public service disc on the lower left corner of the windscreen (Regulation 2(1)).

2. Subject to the approval of the licensing officer provision is made for taxis to display advertisements (Regulation 2(2)).

3. Double-decked "standee" omnibuses may now be authorised (Regulation 2(5)).

4. The duration of drivers' and conductors' licences has been extended from one year to three years and the fees for such licences increased from 10/- to 20/- (Regulation 2(8) and (9)).

5. Because of the extension from one to three years in the currency of a driver's licence, provision is made for a medical certificate to be provided and a driving test undertaken other than at the time of application for a licence (Regulation 2(7) and (11)).

6. Women may now be licensed to act as conductors of public service vehicles (Regulation 2(10)).

7. It will no longer be necessary for a conductor to be carried on a front-entrance single-decked omnibus seating up to 32 passengers. For other omnibuses the limit remains at 20 passengers (Regulation 2(12)).

8. The fee for a duplicate driver's or conductor's licence is increased from 2/6 to 5/- (Regulation 2(13)).

9. The requirement that an omnibus should be provided with a lifting jack is deleted (Regulation 2(14)).

10. A new Regulation is inserted to prevent obstruction of the driver (Regulation 2(16)).

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As this Order has been classified as local it is not printed at length in this volume. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading GAS.