1994 No. 435

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Construction) (Amendment) Regulations (Northern Ireland) 1994

Made . . . . . *8th November 1994*

Coming into operation . . *20th December 1994*

The Department of the Environment, in exercise of the powers conferred on it by Articles 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order(**a**) and of all other powers 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 (Construction) (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 20th December 1994.

(2) In these Regulations "the principal Regulations" means the Public Service Vehicles (Construction) Regulations (Northern Ireland) 1960(**b**).

Amendment to regulation 2 (savings, revocations)

2. In regulation 2(2) of the principal Regulations for the words "the Schedule" there shall be substituted the words "Schedule 4".

Amendment to regulation 3 (interpretation)

3. For regulation 3 of the principal Regulations there shall be substituted—

"3. In these Regulations—

"articulated bus", "deck", "double-decked vehicle", "first used", "gangway", "the 1981 Order", "single-decked vehicle" and "wheel" have the meanings assigned to them in regulation 2 of the Construction and Use Regulations;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**c**);

"crew seat" means a seat fitted to a vehicle and intended for use by crew (other than the driver) including any arm rests and foot rests with which the vehicle is fitted in relation to the seat, and which complies with the requirements specified in regulation 23;

(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"

(**b**) S.R. & O. 1960 No. 91; relevant amending Regulations are S.R. & O. 1967 No. 224, S.R. & O. 1969 No. 63 and S.R. & O. 1971 No. 316

(**c**) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1992 No. 54

"ECE Regulation 36" means Regulation No. 36 (uniform provisions concerning the construction of public service vehicles) which entered into force on 1st March 1976, annexed to the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts concluded at Geneva on 20th March 1958(**a**) as amended(**b**), to which the United Kingdom is a party(**c**);

"emergency exit" means an exit which is provided for use only in case of emergency;

"entrance" means any aperture or space provided to enable passengers to board the vehicle;

"exit" means any aperture or space provided to enable passengers to leave the vehicle;

"half-decked vehicle" means any vehicle not being a single-decked vehicle or a double-decked vehicle;

"licence" means a public service vehicle licence granted under Article 61 of the 1981 Order;

"licensed for public hire" has the meaning given, in relation to a taxi, in regulation 3(1) in the Public Service Vehicles Regulations (Northern Ireland) 1985(**d**);

"permanent top" means any covering of a vehicle other than a hood made of canvas or other flexible material which is capable of being readily folded back so that no portion of such hood or any fixed structure of the roof remains vertically above any part of any seat of the vehicle, or, in the case of a double-decked vehicle, of any seat on the upper deck of the vehicle;

"registered" means registered under the Vehicle Excise and Registration Act 1994(**e**), and in relation to the date on which a vehicle was registered, the date on which it was first registered under that Act;

"safety glass" has the meaning assigned to it in regulation 29(4) of the Construction and Use Regulations;

"safety glazing" and "specified safety glass" have the meanings assigned to them in regulation 30(13) of the Construction and Use Regulations;

"stage carriage" means the carriage of passengers at separate fares which may be collected on board a vehicle, on a pre-determined route with pre-determined pick-up and set down points, in accordance with a pre-determined timetable;

(**a**) Cmnd. 2535
(**b**) Cmnd. 3562
(**c**) By Instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963
(**d**) S.R. 1985 No. 123; definition inserted by S.R. 1990 No. 201 reg. 2(1)
(**e**) 1994 c. 22

"vehicle" in Part I means any public service vehicle, in Part II means a public service vehicle seating more than six passengers and in Part III means a public service vehicle seating not more than six passengers.".

Amendment to Part II (requirements for public service vehicles seating more than six passengers)

4. For Part II of the principal Regulations there shall be substituted—

"PART II

REQUIREMENTS FOR PUBLIC SERVICE VEHICLES SEATING MORE THAN SIX PASSENGERS

Stability

5.—(1) The stability of a vehicle shall be such that—

(*a*) in the case of a double-decked vehicle, the point at which overturning occurs would not be passed if, when the vehicle is complete, fully equipped for service and loaded with weights placed in the correct relative positions to represent the driver, a full complement of passengers on the upper deck only and a conductor (if carried), the surface on which the vehicle stands were tilted to either side to an angle of 28 degrees from the horizontal;

(*b*) in the case of a single-decked vehicle and of a half-decked vehicle, the point at which overturning occurs would not be passed if, when the vehicle is complete, fully equipped for service and loaded with weights placed in the correct relative positions to represent a driver, a full complement of passengers and a conductor (if carried), the surface on which the vehicle stands were tilted to either side to an angle of 35 degrees from the horizontal.

(2) For the purpose of ascertaining whether the requirements of paragraph (1) have been complied with, the height of any stop used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted and that part of the rim of that wheel which is nearest to that surface when the vehicle is loaded in accordance with those requirements.

(3) For the purpose of this regulation 63.5 kilograms shall be deemed to represent the weight of one person.

Guard rails

6. If any two wheels on either side of a vehicle have a clear space of more than 610 millimetres between the nearest points that space shall be effectively guarded to within—

(i) 230 millimetres of the front wheel.

(ii) 155 millimetres of the rear wheel, and

(iii) 310 millimetres of the ground when the vehicle is carrying no passengers and is otherwise unladen and is standing on level ground.

Fuel tanks, carburettors, etc

7.—(1) Subject to paragraph 1 of Schedule 1—

(*a*) in the case of a single-decked vehicle which has a seating capacity exceeding 12 passengers, a half-decked vehicle or the lower deck of a double-decked vehicle, no fuel tank shall be placed under any part of any gangway or under any part of any passage leading to a primary emergency exit as defined in regulation 15(1) if that part of the gangway or passage is within 600 millimetres of any entrance or exit not being an emergency exit other than a primary emergency exit;

(*b*) in the case of a single-decked vehicle which has a seating capacity not exceeding 12 passengers, no fuel tank shall be placed immediately under any entrance or exit or within 300 millimetres of any entrance or exit and no filling point for such a tank shall be situated at the rear of the vehicle;

(*c*) no part of any fuel tank or apparatus for the supply of fuel shall be placed in the compartments or other spaces provided for the accommodation of the driver or passengers; and

(*d*) a device shall be provided by means of which the supply of fuel to any carburettor, or in the case of a fuel injection pump, to the injection nozzles, can be readily cut off and the following requirements shall be complied with—

(i) the means of operation shall at all times be readily accessible from outside the vehicle and, except in the case of a vehicle fitted with an engine having a fuel injection system, shall be readily visible from the outside of the vehicle; and

(ii) in a case where the device is so visible, the "off" position of the means of operation thereof shall be clearly marked also on the outside of the vehicle, and in a case where that device is not so visible, its position shall be clearly marked on the outside of the vehicle and the means of operation shall also be clearly indicated.

(2) All fuel tanks and all apparatus supplying fuel to the engine shall be so placed or shielded that no fuel overflowing or leaking therefrom can fall or accumulate upon any woodwork forming part of the vehicle or upon any other part of the vehicle or fitting thereto such that it might readily be ignited or that it can fall into any receptacle where it might accumulate.

(3) The filling points for all fuel tanks shall be accessible only from the outside of the vehicle and filler caps shall be so designed and constructed that they cannot be dislodged by accidental operation and any vent hole shall be protected from danger of penetration by fire and shall be so designed as to prevent fuel from being ejected by splashing.

Exhaust pipe

8. The exhaust pipe shall be so fitted or shielded that no flammable material can fall or be thrown upon the pipe from any other part of the vehicle and so that it is not likely to cause a fire through proximity to any flammable material on the vehicle, and the outlet of the pipe shall be either at the rear or on the offside and far enough to the rear, to prevent so far as practicable fumes from entering the vehicle.

Luggage racks

9. All luggage racks fitted in a vehicle shall be so designed and constructed that any article placed thereon, if it becomes dislodged whilst the vehicle is in motion, is not likely to fall on the driver or interfere with his control of the vehicle.

Artificial lighting

10. Subject to paragraph 2 of Schedule 1, adequate internal lighting shall be provided in every vehicle for the illumination—

(*a*) of each deck having a permanent top; and

(*b*) of any step or platform forming part of any entrance or exit other than an emergency exit;

and all lighting circuits shall be so arranged that an electrical failure of any lighting sub-circuit shall not be capable of extinguishing all the lights on any deck and at least one lamp shall be provided as near as practicable to the top of the staircase leading to an upper deck not having a permanent top.

Electrical equipment

11.—(1) All electrical apparatus and circuits in a vehicle shall be so constructed and installed as to guard adequately against the risk of electric shock or the outbreak of fire.

(2) Subject to paragraph 3 of Schedule 1, where the voltage exceeds 100 volts in one or more electrical ciruits in a vehicle, a manually operated isolating switch which is capable of disconnecting all such circuits from the main electrical supply shall be connected in each pole of that supply which is not electrically connected to earth, and shall be located inside the vehicle in a position readily accessible to the driver or conductor;

Provided that no such isolating switch shall be capable of disconnecting any electrical circuit supplying the lamps carried for the purpose of Article 38 of the 1981 Order (which provides for lights to be carried by vehicles between sunset and sunrise).

(3) In this regulation any reference to an electrical circuit is a reference to an electrical circuit not being a high tension ignition circuit or a circuit within a unit of equipment.

Body

12. The body of a vehicle shall be securely fixed to the chassis. Every trap door in the floor of a vehicle shall be so fitted or fastened that it cannot

become dislodged by vibration, and no lifting device fitted to a trap door shall project above the level of the floor.

Height of sides of body

13.—(1) Subject to paragraph 4 of Schedule 1, the top of the side rails or panels of a vehicle not having a permanent top shall be at last 910 millimetres above the deck and at least 455 millimetres above the highest part of any passenger seat, and the top of the front and back rails or panels shall be at least 1.21 metres above any part of the deck.

(2) For the purposes of this regulation a back rest shall not be deemed to be part of a seat, and the expression "deck", in relation to a vehicle with more than one deck, means the upper deck.

Steps, platforms and stairs

14.—(1) Subject to paragraph 5 of Schedule 1—

(*a*) a platform from which passengers can step directly to the ground through an exit without any step intervening, or the top of the tread of the lowest step provided at any entrance or exit, other than an emergency exit, shall not be more than 435 millimetres above the ground when the vehicle is empty; all steps and the outer edge of any platform shall be fitted with non-slip treads; and fixed steps shall be no less than 225 millimetres wide and shall in no case project laterally beyond the body of the vehicle or otherwise are such that they are not liable to injure pedestrians; and

(*b*) in the case of a double-decked vehicle—

(i) the risers of all steps leading from the lower to the upper deck shall be closed and no unguarded aperture shall be left at the top landing board;

(ii) all steps leading from the lower to the upper deck shall be fitted with non-slip treads;

(iii) the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase, excluding any grab rail which does not project more than 105 millimetres from the back of the seat, shall not be less than 660 millimetres; and

(iv) the outer stringer of an outside staircase shall be constructed, or a band shall be placed, to act as a sufficient screen to persons ascending or descending, and the height of the outer guard rail shall not be less than 1.21 metres above the front of the tread of each step.

(2) Paragraph 1(*a*) shall not apply to an entrance provided with a lifting platform or a ramp for the benefit of disabled passengers if—

(*a*) another entrance is provided in the vehicle and in relation to such other entrance the requirements specified in paragraph (1)(*a*) are met, and

(*b*) that other entrance is placed—

(i) in the case of any vehicle, on the near side, or

(ii) in the case of a vehicle as is mentioned in the proviso to regulation 15(4), on the rear face of the vehicle.

(3) Paragraph (1)(*a*) shall not apply to an exit provided with a lifting platform or a ramp for the benefit of disabled passengers if—

(*a*) another exit is provided in the vehicle and in relation to such other exit the requirements specified in paragraph (1)(*a*) are met, and

(*b*) that other exit is placed—

(i) in the case of any vehicle, on the near side, or

(ii) in the case of a vehicle as is mentioned in the proviso to regulation 15(4), on the rear face of the vehicle.

Number, position and size of entrances and exits

15.—(1) For the purpose of this regulation and regulations 7 and 16 to 20—

(*a*) ''primary emergency exit'' means an emergency exit being an exit provided in a single-decked vehicle or in the lower deck of a double-decked vehicle which, subject to paragraph 6 of Schedule 1—

(i) is situated so that passengers can step directly from the passage referred to in regulation 20(1)(*g*) to the outside of the vehicle,

(ii) has a height

(*a*) in the case of a vehicle which has a seating capacity not exceeding 14 passengers, of not less than 1.21 metres, and

(*b*) in the case of any other vehicle, of not less than 1.37 metres,

(iii) has a width of not less than 530 millimetres;

(*b*) ''secondary emergency exit'' means an emergency exit of which the dimensions are not less than 910 millimetres by 530 millimetres and which does not satisfy all the requirements of a primary emergency exit and which is not in the roof of a vehicle;

(*c*) neither of the foregoing definitions shall apply in relation to an emergency exit as required by paragraphs (7) and (8) but the exit so required shall be of dimensions not less than 1.52 metres by 455 millimetres;

(*d*) references to the seating capacity of a vehicle shall, in the case of a double-decked vehicle, be treated as a reference to the seating capacity of its lower deck;

(*e*) references to the distance between the centres or between the nearest points of the openings of two exits in a vehicle are references to the distance between lines drawn at right-angles to the longitudinal axis of the vehicle and passing respectively through the centres, or as the case may be, the nearest points of the openings of the exists at gangway level; and

(*f*) the reference to the distance between the centre of an exit placed at the front end of a vehicle and the foremost part of the vehicle is a reference to the distance between lines drawn at right-angles to the longitudinal axis of the vehicle and passing through the centre of that exit and that foremost part, and the reference to the distance between the centre of an exit placed at the rear end of a vehicle and the rearmost part of the vehicle is a reference to the distance between lines drawn as aforesaid and passing through the centre of that exit and that rearmost part.

(2) In this regulation—

(*a*) "pre-October 1981 vehicle" means a vehicle manufactured before 1st October 1981 or first used before 1st April 1982; and

(*b*) "post-October 1981 vehicle" means a vehicle manufactured on or after 1st October 1981 and first used on or after 1st April 1982.

(3) Subject to paragraph 6 of Schedule 1, the provisions of this regulation shall apply with respect to the number and position of entrances and exits which shall be provided in a vehicle but a vehicle shall not be treated as failing to comply with any of those provisions by reason only that a number of exits is provided in a vehicle in excess of the number specified in relation to it by any provision of this regulation.

(4) Subject to paragraphs (5) and (11), a vehicle which has a seating capacity for not more than 45 passengers shall be provided with two exits so placed as not to be on the same side of the vehicle, and

(*a*) in the case of a pre-October 1981 vehicle, one of which may be a primary emergency exit but neither of which shall be a secondary emergency exit;

(*b*) in the case of a post-October 1981 vehicle, one of which shall be a primary emergency exit and the other of which shall have dimensions which are not less than those specified in paragraph (1)(*a*) in relation to a primary emergency exit:

Provided that this paragraph shall not apply in the case of a vehicle which has a seating capacity—

(i) exceeding 23 passengers and which is provided with an exit by virtue of its having a platform of a type described in regulation 14(1)(*a*) which communicates with a deck (being in the case of a double-decked vehicle, the lower deck) by means of a doorless opening and has a doorless opening on the nearside of the vehicle continuous with another such opening at the rear of the vehicle, these openings serving together as a means of entrance to or exit from the vehicle;

(ii) not exceeding 12 passengers and of which the fuel tank is not placed behind the rear wheels if one exit of which, in the case of a post-October 1981 vehicle, the dimensions are not less than 1.21 metres in height by 530 millimetres in width is provided and is placed at the rear of the vehicle.

(5) Where the exits provided in accordance with paragraph (4) are so placed that the distance between their centres is—

(*a*) in the case of a vehicle first used before 1st January 1974 which has a seating capacity exceeding 30 passengers, less than 3.05 metres;

(*b*) in the case of a vehicle first used on or after 1st January 1974 which has a seating capacity exceeding 23 passengers, less than 3.05 metres;

(*c*) in the case of a vehicle first used on or after 1st January 1974 which has a seating capacity exceeding 14 but not exceeding 23 passengers, less than 2.44 metres,

a primary or secondary emergency exit shall be provided and placed so that there is a distance between the nearest points of the openings of that exit and one of the two exits mentioned in paragraph (4) of—

(i) in the cases mentioned in sub-paragraphs (*a*) and (*b*), not less than 3.05 metres, and

(ii) in the case mentioned in sub-paragraph (*c*), not less than 2.44 metres.

(6) Subject to paragraph (11), a vehicle which has a seating capacity exceeding 45 passengers shall be provided with three exits in respect of which the following provisions shall apply—

(*a*) in the case of a pre-October 1981 vehicle one of the exits, but not more than one, may be a secondary emergency exit, and in the case of a post-October 1981 vehicle one of the exits shall be a primary emergency exit and any other exit (not being a secondary emergency exit) shall have dimensions not less than those specified in paragraph (1)(*a*) in relation to primary emergency exits;

(*b*) two of the exits (neither being a secondary emergency exit) shall be so placed as not to be on the same side of the vehicle;

(*c*) where two exits are placed on the same side of the vehicle, the distance between their centres shall not be less than 3.05 metres; and

(*d*) one of the exits (not being a secondary emergency exit) shall be placed at the front end of the vehicle so that the distance between its centre and the foremost part of the vehicle is not more than 3.05 metres and another of the exits (not being a secondary emergency exit) shall be placed at the rear end of the vehicle so that the distance between its centre and the rearmost part of the vehicle is not more than 3.05 metres:

Provided that—

(i) in the case of a vehicle registered on or after 28th October 1964 and before 19th June 1968 the reference in sub-paragraph (*c*) to 3.05 metres shall be replaced by a reference to 4.75 metres and sub-paragraph (*d*) shall not apply, and

(ii) in the case of any other vehicle first used before 1st January 1974 sub-paragraph (*d*) shall apply with the omission of the words "(not being a secondary emergency exit)" in both places where they occur.

(7) In the case of a half-decked vehicle an emergency exit shall be provided in the roof of the vehicle so placed that the transverse centre line of that exit lies within 610 millimetres of the mid-point between the front edges of the foremost and of the rearmost passenger seats in the vehicle.

(8) Where, in the case of a double-decked vehicle which has a permanent top, access to the upper-deck is obtained by means of an enclosed staircase, an emergency exit shall be provided on that deck and placed otherwise than on the nearside of the vehicle.

(9) Every entrance provided in a vehicle shall be placed on the nearside of the vehicle, but one or more entrances may be provided on the offside of the vehicle if—

(*a*) as respects any entrance so provided it is not also an exit provided in accordance with any of the foregoing provisions in this regulation;

(*b*) every such entrance is fitted with a door which can be controlled only by the driver while sitting in his seat; and

(*c*) the devices available to the driver for opening or closing that door is a separate and readily distinguishable device from that available to the driver for opening or closing any door fitted to the nearside of the vehicle;

and one or more entrances may be provided on the rear face of the vehicle if each of those entrances is provided with a lifting platform or ramp for the benefit of disabled passengers:

Provided that this paragraph shall not apply in the case of any such vehicle as is mentioned in the proviso to paragraph (4).

(10) A grab handle shall be fitted to every entrance and exit (other than an emergency exit) to assist passengers to board or alight from the vehicle.

(11) In the case of a vehicle—

(*a*) being a post-October 1981 vehicle,

(*b*) having a seating capacity for more than 16 passengers, and

(*c*) being a single-decked vehicle or a half-decked vehicle,

there shall be at least one emergency exit which complies with the requirements specified in paragraph (12) and which is either—

(i) in the front face of the vehicle, or

(ii) in the rear face of the vehicle, or

(iii) in the roof of the vehicle.

(12) The requirements referred to in paragraph (11) are, in respect of each exit therein referred to, as follows—

(*a*) the dimensions of the aperture shall be such that it has a total area of not less than 4,000 square centimetres and shall include a rectangular area the dimensions of which are not less than 70 centimetres by 50 centimetres;

(*b*) the exit shall be so constructed that it can be opened by means available to persons inside the vehicle, and it may be so constructed that it can be opened also by persons outside the vehicle; and

(*c*) the exit shall be—

(i) ejectable, or

(ii) constructed of specified safety glass which can be readily broken by the application of reasonable force so as to afford a clear aperture having the dimensions referred to in sub-paragraph (*a*), and provided in a position adjacent to the exit with a suitable means, readily available to persons inside the vehicle, for breaking the glass, or

(iii) except where the exit is an exit in the roof, hinged.

Width of entrances and exits

16.—(1) The width of every entrance and exit (other than a secondary emergency exit, an emergency exit provided in accordance with regulation 15(7), (8) or (11) or an exit referred to in paragraph (2)) shall—

(*a*) (save as provided in paragraph (3)) in the case of an entrance or an exit which serves both decks of a double-decked vehicle (disregarding any stanchion), being an entrance or an exit which is either—

(i) the only such entrance or exit in the vehicle, or

(ii) the entrance or exit most readily and directly associated with a staircase serving the upper deck,

be not less than 910 millimetres; and

(*b*) in any other case, be not less than 530 millimetres.

(2) The requirements specified in paragraph (1) shall not apply in the case of an exit referred to in head (i) of the proviso to regulation 15(4) if the width of that exit measured along the side of the vehicle is not less than 530 millimetres and its width measured along the rear of the vehicle is not less than 455 millimetres.

(3) A vehicle shall not be regarded as failing to fulfil condition (*a*) of paragraph (1) by reason only of the fact that, in a case where the entrance or exit is fitted with a pair of power operated doors, one door may be opened independently of the other, if the width of the aperture thereby provided is not less than 530 millimetres and if the doors are capable of being opened together by means of the devices required by regulation 17(1)(*b*).

Doors

17.—(1) Subject to paragraph 7 of Schedule 1 and paragraph (4) the following conditions shall be complied with—

(*a*) means shall be provided for holding every entrance and exit door securely in the closed position and, where any such door is capable of remaining open when the vehicle is in motion or of being accidentally closed by the movement of the vehicle, means shall also be provided for holding that door securely in the open position;

(*b*) subject to paragraph (2), every entrance and exit door shall be provided with at least two devices (of which one may be a device provided for use in circumstances of normal operation only by a person authorised by the owner of the vehicle, and one, but not more than one, shall be provided on the outside of the vehicle) being in each case a device for operating the means for holding the door securely in the closed position, and every such device shall be so designed that a single movement of it will allow that door to be readily opened;

(*c*) the method of operation of any device mentioned in condition (*b*), the position of such a device where it is not placed on the door and the direction and points of application of any manual effort required to open any door, shall be clearly indicated; and there shall, in the case of a power operated door, also be an indication that the said device may not be used by passengers except in an emergency;

(*d*) where any device mentioned in condition (*b*) is not placed on the door, it shall be placed so as to be readily associated with that door and so that a person of normal height may conveniently operate the device without risk of being injured by movement of the door;

(*e*) in the case of every entrance and exit, any device mentioned in condition (*b*), other than such a device provided on the outside of an emergency exit on the upper deck of a double-decked vehicle or in the roof of a vehicle, shall be easily accessible to persons of normal height;

(*f*) the means and devices mentioned in conditions (*a*) and (*b*) shall be so designed and fitted that they are unlikely to become dislodged or be operated accidentally but there shall be in the vehicle no means of a mechanical nature the operation of which would prevent the devices mentioned in condition (*b*) when deliberatley used, from allowing the entrance or exit doors for which they are provided to be readily opened;

(*g*) every door shall operate so as not to obstruct clear access to any entrance or exit from inside or outside the vehicle;

(*h*) a vehicle having a power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by more than 80 millimetres, shall be so constructed or adapted that it cannot move from rest under its own

power when the door is open, and the door shall not be capable of being operated while the vehicle is in motion, except by the operation of such a device as is mentioned in condition (*b*);

(*i*) the storage and transmission system of the power for operating any power-operated door shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle and the apparatus shall be so designed and constructed that in the event of the system becoming inoperative the door shall be capable of being operated manually from inside and outside the vehicle; and

(*j*) the design of power-operated doors and their associated equipment at entrances and exits shall be such that, when opening or closing, the doors are unlikely to injure any passengers, and the vertical edges of any power-operated door which, when open or being operated, projects laterally beyond the body of the vehicle at its widest point by not more than 80 millimetres and which is installed in a vehicle not constructed or adapted as mentioned in condition (*h*), shall be fitted with soft rubber.

(2) Schedule 3 shall have effect for the purpose of supplementing paragraph (1) in relation to power-operated doors fitted to certain vehicles.

(3) A vehicle shall not be deemed to fail to comply with condition (*b*) or (*f*) of paragraph (1) by reason only of the fact that, for the purposes of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if the lock is so designed and constructed that a single movement of any device mentioned in condition (*b*), being a device provided on the inside of the vehicle, will at all times allow that door to be readily opened.

(4) In determining for the purposes of conditions (*h*) and (*j*) of paragraph (1) whether, or the distance by which, a power-operated door, when open or being operated, projects laterally beyond the body of the vehicle at its widest point any moulding on the outside of the vehicle shall be disregarded.

(5) The references to exits in paragraph (1) do not include an emergency exit provided in accordance with the provisions of regulation 15(11) unless such exit is a primary emergency exit or a secondary emergency exit.

Marking, positioning and operation of emergency exits

18.—(1) Subject to the provisions of paragraph 8 of Schedule 1, every emergency exit, other than an emergency exit with which a vehicle is required to be fitted under regulation 15(11) shall comply with the following conditions—

(*a*) the emergency exit shall—

(i) be clearly marked as such inside and outside the vehicle;

(ii) be fitted with doors which open outwards or, in the case of a secondary emergency exit, be constructed of specified safety

glass which can be readily broken by the application of reasonable force so as to afford a clear aperture of dimensions not less than those referred to in regulation 15(1)(*b*);

(iii) except in the case of an emergency exit provided in the roof of a vehicle, be readily accessible to passengers;

(iv) in the case of a single-decked or half-decked vehicle or the lower deck of a double-decked vehicle, be so situated that passengers can step directly from the passage referred to in regulation 20(1)(*g*) to the outside of the vehicle:

Provided that this requirement shall not apply in the case of an emergency exit provided in the roof of the vehicle or in the case of a secondary emergency exit;

(*b*) the means of operation of doors fitted to the emergency exit shall be clearly indicated;

(*c*) the doors of the emergency exit shall not be fitted with any system of power operation; and

(*d*) the means of operation of the doors of the emergency exit, other than those provided in the upper deck of a double-decked vehicle or in the roof of a vehicle, shall be readily accessible to persons of normal height standing at ground level outside the vehicle.

(2) Every emergency exit with which a vehicle is required to be fitted under regulation 15(11) shall—

(*a*) be clearly marked as an emergency exit—

(i) on the inside of the vehicle, and

(ii) in a case where the emergency exit can be opened from the outside, on the outside of the vehicle;

(*b*) be accessible to persons inside the vehicle when the vehicle is tilted to either side through an angle of 90 degrees, measured from the normal vertical plane of the vehicle;

(*c*) be clearly marked with its means of operation;

(*d*) if hinged, open outwards, and

(*e*) if ejectable, be fitted with a restraint which will prevent the part of the emergency exit which is ejected from becoming completely detached from the vehicle but which will not prevent egress from the vehicle by persons within it.

Access to exits

19.—(1) Subject to paragraphs (2) and (3) the following conditions shall be complied with in the case of every vehicle—

(*a*) there shall be unobstructed access from every seat in the vehicle—

(i) in a case where the vehicle is, in accordance with the provisions of these Regulations, provided with only one exit, to that exit, and

(ii) in a case where the vehicle is, in accordance with those provisions, provided with two or more exits, to both or, as the case may be to at least two, of those exits;

(*b*) no seat in a vehicle shall be fitted to any door of the vehicle; and

(*c*) being a half-decked vehicle, there shall be no obstruction in the space between the floor in front of any passenger seat and the roof of the vehicle.

(2) Condition (*a*) of paragraph (1) shall not apply in relation to—

(*a*) any seat in a vehicle which is placed—

(i) beside the driver's seat if there is unobstructed access to that seat by means of an entrance other than the driver's entrance, or

(ii) on a deck which does not have a permanent top if there is unobstructed access from every seat on that deck to an exit;

(*b*) crew seat occupied by crew; or

(*c*) an exit provided in accordance with the provisions of regulation 15(11) unless such exit be a primary emergency exit or a secondary emergency exit.

(3) In the case of a double-decked vehicle where provision is made for the placing of a barrier at the foot of the staircase leading to the upper deck, the vehicle shall not be treated as failing to comply with the requirements of condition (*a*) of paragraph (1) by reason ony that when that barrier is in position it would effectively prevent passengers from gaining access to the upper deck.

Width of gangways

20.—(1) Subject to paragraphs (2) and (3) and to paragraph 9 of Schedule 1, the following conditions shall be complied with in the case of every vehicle—

(*a*) the width of every gangway shall be not less than—

(i) 305 millimetres up to a height of 765 millimetres above the level of the deck of the vehicle;

(ii) 355 millimetres at heights exceeding 765 millimetres but not exceeding 1.22 metres above the level of the deck of the vehicle; and

(iii) 455 millimetres at heights exceeding 1.22 metres above the level of the deck of the vehicle;

(*b*) a vertical line projected upwards from the centre line of any gangway at deck level shall, to the height prescribed in regulation 21 as the height of that gangway, be laterally not less than 150 millimetres from any part of the vehicle other than the roof above the gangway;

(*c*) being a vehicle which has a seating capacity exceeding 12 passengers, no part of any gangway which is within 910 millimetres of an entrance or exit (other than an emergency exit) to

which it provides access shall be less than 530 millimetres in width;

(*d*) being a double-decked vehicle which has a seating capacity exceeding 12 passengers, one gangway in the vehicle which serves as a joint means of access—

(i) to both the upper and lower decks from any entrance, or

(ii) to any exit from both the upper and lower decks,

shall where it lies between an entrance or exit (other than an emergency exit) and a staircase, be, at every level, not less than 910 millimetres in width;

(*e*) where a part of a gangway which adjoins an entrance or exit is divided by a handrail, the width of that part of the gangway at any point on each side of the handrail shall not be less than 455 millimetres;

(*f*) where two seats (being either two seats, each for one passenger only or two portions of a continuous seat, each of such portions being for one passenger only measured in accordance with condition (*b*) of regulation 22(1) are placed parallel to the longitudinal axis of a vehicle and face each other and the space between those seats is not required for the purpose of obtaining access from an entrance to any other seat or from any other seat to an exit (not being an emergency exit), that space shall not for the purposes of this regulation and regulation 21 be treated as forming part of the gangway;

(*g*) between every exit, not being either—

(i) an emergency exit provided in the roof of a vehicle, or

(ii) an exit provided in accordance with the provisions of regulation 15(11) unless it be a primary or secondary emergency exit,

and a gangway there shall be a passage—

A of dimensions not less than those prescribed for a gangway in condition (*a*) of paragraph (1);

B so designed that a vertical line projected upwards from the centre line of the passage at floor level to a height of 760 millimetres from the level of the deck is laterally not less than 150 millimetres from any part of the vehicle (excluding any cowling or cover which projects not more than 230 millimetres from the bulkhead of the vehicle into the passage at floor level and not more than 230 millimetres above the deck level and the provision of which is required by the projection of part of the chassis or mechanism of the vehicle into the body);

C which has a clear height at every point along the centre line of the passage of 1.52 metres from the deck level;

Provided that—

(i) for the purposes of sub-paragraphs A and B a seat placed below or in front of an emergency exit, being such an exit provided on the upper deck of a double-decked vehicle or in the roof of a vehicle or which is secondary emergency exit within the meaning of regulation 14 shall be deemed to form part of such a passage, and

(ii) sub-paragraph C shall not apply in the case of a passage leading to an emergency exit, being such an exit provided on the upper deck of a double-decked vehicle or in the roof of a vehicle or which is a secondary emergency exit within the meaning of regulation 15, nor shall it apply in the case of a passage in a single-decked vehicle having a permanent top if the vehicle has a seating capacity not exceeding 14 passengers.

(2) Subject to paragraph 9 of Schedule 1, where any space in front of a seat in a vehicle adapted to carry more than 12 passengers is required for the accommodation of seated passengers, the space within 225 millimetres of the seat shall not be taken into account in measuring the width of a gangway:

Provided that this paragraph shall not apply in relation to paragraph (1)(*d*) where—

(i) the floor of the gangway is free of any obstruction; and

(ii) there are no other intrusions into the gangway space above the level of the deck of the vehicle.

(3) The provisions of paragraph (1)(*c*) and (*g*) do not apply as regards a crew seat occupied by crew.

Height of gangways

21.—(1) Subject to paragraph 10 of Schedule 1, the following conditions shall be complied with in the case of every vehicle adapted to carry more than 12 passengers—

(*a*) the clear height at every point along the centre line of any gangway between the limits specified in paragraph (2) shall be—

(i) in the case of a single-decked vehicle being a vehicle having a permanent top, and in the case of a half-decked vehicle and the lower deck of a double-decked vehicle, not less than 1.77 metres if the seating capacity of the vehicle exceeds 14 passengers and not less than 1.6 metres in any other case, and

(ii) in the case of the top deck of a double-decked vehicle having a permanent top, not less than 1.72 metres;

(*b*) except as respects any part of any gangway placed on the offside of the vehicle which is required only to provide access to the foremost passenger seat in the vehicle, the said clear height shall, outside the limits specified in paragraph (2), be not less than the clear height as prescribed in relation to the vehicle in condition (*a*) reduced by 105 millimetres;

(*c*) in the case of a single-decked vehicle not having a permanent top, when the hood of the vehicle is extended or raised, the said clear height from the level of the deck shall in no place (except over the driver's seat) be less than 1.52 metres;

(*d*) in the case of the top deck of a double-decked vehicle, no part of any gangway shall project into the compartment or other space provided for the accommodation of the driver in such a manner as to incommode the driver or cause his view of the road to the front of the vehicle or to the sides thereof to be restricted.

(2) The clear height prescribed in condition (*a*) of paragraph (1) shall, in the case of the lower deck of a double-decked vehicle, extend throughout the gangway and in any other case shall extend from the front edge of the foremost passenger seat adjacent to the gangway to the front edge of the rearmost passenger seat adjacent to the gangway:

Provided that where the gangway is on the offside of the vehicle it shall be a sufficient compliance with the requirements of head (ii) of that condition if the clear height of 1.72 metres extends from a point 460 millimetres behind the front edge of the foremost passenger seat adjacent to that gangway to the front edge of the rearmost passenger seat adjacent thereto.

(3) In the case of a vehicle which has a seating capacity not exceeding 12 passengers, the clear height at every point along the centre line of any gangway in the vehicle, except for a distance of 305 millimetres along the line measured from each entrance and exit, shall be not less than 1.42 metres and, in the case of the said distance, shall be not less than 1.21 metres.

Seats

22.—(1) Subject to paragraph 11 of Schedule 1, the following conditions shall, as regards every passenger seat, be complied with in the case of every vehicle—

(*a*) the supports of all seats shall be securely fixed in position;

(*b*) a length of at least 400 millimetres measured horizontally along the front of each seat shall be allowed for the accommodation of a seated passenger;

Provided that in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, being arms so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this paragraph as though it were not fitted with arms.

(*c*) every seat shall have a back rest so closed or otherwise constructed as to prevent, as far as practicable, the pockets of passengers from being picked;

(*d*) all passenger seats shall be so fitted—

(i) that the distance between any part of the back rest of any seat placed lengthwise and the corresponding part of the back rest

of the seat facing it shall be, in the case of a vehicle which has a seating capacity not exceeding 12 passengers, not less than 1.37 metres, and in any other case, not less than 1.60 metres, and

(ii) that there is a clear space of at least 610 millimetres in front of the back rest of any seat measured from the centre of each complete length of seat allowed for the accommodation of a seated passenger and a clear space of 200 millimetres in front of any part of that seat:

Provided that in the case of a seat for more than three passengers—

(*a*) in the case of a vehicle being used as a stage carriage; and

(*b*) in the case of any vehicle to which this regulation applies and which is first used on or after 1st April 1982

where access to that seat can be obtained only from one end of the seat, the said clear spaces shall respectively be at least 685 millimetres and 300 millimetres;

(*e*) there shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it:

Provided that any support provided for a table shall be disregarded if there is a clear space of at least 225 millimetres between that support and the front edge of the nearest seat and the support is not in such a position as to cause discomfort to passengers occupying the seats;

(*f*) no seat shall be placed in such a position as to cause discomfort to passengers;

(*g*) there shall, as respects every seat, be a clear space measured vertically from the centre of each complete length of the seat allowed for the accommodation of a seated passenger which shall be, in the case of a vehicle which has a seating capacity not exceeding 12 passengers, not less than 910 millimetres, and, in any other case, not less than 965 millimetres;

(*h*) where any seat is so placed that a passenger seated upon it is liable to be thrown through any entrance to or exit from the vehicle or down a stairway in the vehicle, an effective screen or guard shall be placed so as to afford adequate protection against that occurrence to a passenger occupying that seat; and

(*i*) the shortest distances between the edge of the well of any step in the vehicle and a vertical plane passing through the front edge of any seat shall be not less than 225 millimetres:

Provided that this condition shall not apply in the case of the well of a step provided as a means of obtaining access only to any forward-facing front passenger seat placed alongside the driver in a vehicle which has a seating capacity not exceeding 12 passengers.

(2) In this regulation and in paragraph 11 of Schedule 1 the expression "back rest" includes any part of the vehicle which is available for seated passengers to lean against.

(3) Paragraph (1)(*b*) shall not apply to a wheelchair carried in a vehicle.

(4) Where a table is fitted to the rear of a seat and is so constructed that it can be folded back or otherwise put out of use, distances shall be measured for the purposes of paragraph (1)(*d*) with the table so folded or put out of use.

Crew seats

23.—(1) Every crew seat shall be so constructed and located that when it is in use—

(*a*) the person by whom it is occupied—

(i) is adequately protected by means of arm rests from falling sideways either to the left or to the right,

(ii) may conveniently place his feet either on a deck of the vehicle or on a foot rest, and

(iii) does not impede the driving of the vehicle either by obstructing the driver's field of vision or otherwise; and

(*b*) a space of at least 300 millimetres exists, along the whole width of the seat, between the foremost edge of the seat and any other part of the vehicle.

(2) Every crew seat shall be so constructed and located that when it is not in use—

(*a*) no part of it impedes the driving of the vehicle either by obstructing the driver's field of vision or otherwise; and

(*b*) every part of it which, when the seat is ready for or in use, protrudes into a gangway so that the provisions of regulation 20(1)(*c*) and (*g*) are not complied with, is, as a result of automatic mechanism, retracted so that those provisions are complied with.

(3) The words "FOR CREW USE ONLY" shall be marked either on or near and in relation to every crew seat in letters not less than 10 millimetres tall and in a colour which contrasts with their background.

(4) The provisions of paragraph (1)(*a*) to (*f*) of regulation 22 apply as respects a seat to which that regulation applies.

Passenger protection

24.—(1) Subject to paragraph 12 of Schedule 1, all transverse glass windows or panels not made of safety glass or specified safety glass shall be adequately protected against the likelihood of breakage in the event of passengers being thrown against them.

(2) No emergency exit or ventilating panel (not being a window) shall be fitted to the roof of any vehicle manufactured on or after 1st October 1981 unless such exit or panel is constructed of metal, specified safety glass or safety glazing.

Ventilation

25. Adequate ventilation shall be provided for passengers and the driver without the necessity for opening any main window or windscreen.

Driver's accommodation

26. Subject to paragraph 13 of Schedule 1, the following conditions shall be complied with in the case of every vehicle—

(*a*) the vehicle shall be so designed that the driver, when sitting in his seat, has adequate room and can readily reach and operate the controls;

(*b*) the controls shall be so placed as to allow reasonable access to the driver's seat;

(*c*) the accommodation for the driver shall be so arranged as to afford adequate protection from the weather;

(*d*) means shall be provided to prevent light from the interior of the vehicle from incommoding the driver and, in respect of any window placed on that side of the centre line of the vehicle occupied by the driver, the means so provided shall be capable of being operated by the driver when in his seat;

(*e*) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers, the driver's seat shall be capable of being adjusted in a vertical direction and in a horizontal direction parallel to the longitudinal axis of the vehicle and of being firmly secured in any desired position within the limits of such adjustments: the range of such adjustments shall permit the seat to be fixed in a position such that the horizontal distance between the nearest part of the steering wheel and the back rest of the seat is 355 millimetres and the vertical distance between the lowest part of the steering wheel and the horizontal plane level with the top of the seat cushion is 200 millimetres and also as to permit the seat to be adjusted at least 50 millimetres forwards, backwards, upwards and downwards from that position;

(*f*) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers where direct and reasonable access is provided to the driver's seat, such access shall be provided to that seat either from the offside of the vehicle or by means of a passage which shall be not less than 300 millimetres in width up to a height of 765 millimetres above the floor of the vehicle and not less than 355 millimetres in width above that height and shall comply with the requirement prescribed in relation to the gangway of the vehicle by condition (*b*) of regulation 20(1);

(*g*) where access to the driver's seat is obtained from the offside of the vehicle—

(i) an opening in the side of the vehicle shall be provided which shall have a clear width of not less than 455 millimetres except where this dimension cannot be provided by reason only of the presence of a portion of the wheel arch in that opening,

(ii) except in the case of a vehicle which has a seating capacity not exceeding 12 passengers where direct and reasonable access is provided to the driver's seat, a grab handle shall be fitted to assist the driver in boarding and alighting from the vehicle, and

(iii) a step shall be provided on the vehicle at a convenient position and height adjacent to the opening if the lowest point of the sill of that opening is more than 690 millimetres from ground level when the vehicle is unladen;

(*h*) where a separate and enclosed compartment is provided for the driver and access to the driver's seat is obtained from the offside of the vehicle, an emergency escape window shall be provided (otherwise than on the offside of that compartment) which shall be readily accessible to the driver and shall have a clear opening with dimensions of not less than 530 millimetres by 455 millimetres;

(*i*) where any seat for a passenger is placed to the side of the driver's seat (whether to one side or to both sides of that seat and whether or not that seat is continuous with the driver's seat) then—

(i) whether the seat is a separate seat or is continuous with the driver's seat, a space of at least 455 millimetres measured from the centre of the steering column towards the side on which the seat is placed shall be reserved for use solely by the driver, and

(ii) if the seat is continuous with the driver's seat or if it is a separate seat so placed that any part of it is nearer to the centre of the steering column than 455 millimetres the said space shall be divided off by means of a solid partition having a height of at least 225 millimetres measured from the seat level of the driver's seat and extending for the whole depth of the seat.

Windscreens

27. Where a vehicle is fitted with a front windscreen for the driver the windscreen shall, except where an adequate demisting and defrosting device is fitted, be capable of being opened so as to give the driver a clear view of the road ahead.

Passengers' communication with driver

28. Except in the case of a vehicle which has a seating capacity not exceeding 12 passengers, adequate means shall be provided in every vehicle to enable passengers on any deck to signal to the driver.

Exemptions

29. The requirements of this Part shall not apply to—

(*a*) an articulated bus, or

(*b*) a vehicle to which there is applied a marking designated as an approval mark in relation to ECE Regulation 4 of, and Schedule 2

(at item 36) to, the Motor Vehicles (Designation of Approval Marks) Regulations 1979(a) as read with paragraphs 1 and 7 of Schedule 3 to those Regulations and which satisfies the requirements of paragraph 5 (specifications) of ECE Regulation 36:

Provided that such vehicles comply with the provisions specified in—

(i) paragraph 5 of ECE Regulation 36, and

(ii) those regulations in this Part, or the paragraphs thereof, which are specified in Schedule 2.''.

Amendment to Part III (requirements for public service vehicles seating not more than six passengers)

5.—(1) In Part III of the principal Regulations, regulations 54 to 80 shall be renumbered as regulations 30 to 56.

(2) After regulation 56 of the principal Regulations there shall be inserted the following new regulations—

''*Wheelchair facilities*

57.—(1) Regulations 57 to 60 apply only to vehicles licensed for public hire in the City of Belfast.

(2) Every vehicle shall be equipped with anchorage points which are designed to hold a wheelchair securely in place on the vehicle.

(3) Anchorage points shall be either attached to the chassis or to the floor of the vehicle.

(4) If attached to the floor, anchorage points shall be affixed to a galvanised plate of minimum dimension 200 × 200 mm which must be attached beneath the floor.

(5) Anchorage points shall also be provided for the safe stowage of a wheelchair when not in use, whether folded or otherwise, if carried within the passenger's compartment.

(6) Anchorage points shall be so designed that they do not cause a foreseeable danger to other passengers.

58.—(1) Subject to regulation 57(1) every vehicle shall be equipped with restraints for a wheelchair and its occupant which shall—

(*a*) be independent of each other, and

(*b*) be so designed that they do not cause a foreseeable danger to other passengers.

(2) In this regulation ''restraint'' means a belt, or other suitable device, which can be attached to a wheelchair or intended to be worn by its occupant and designed to prevent or lessen injury in the event of an accident.

(a) S.I. 1979/1088; to which there are amendments not relevant to these Regulations

59.—(1) Subject to regulation 57(1) every vehicle shall be equipped with a ramp for the loading or unloading of a wheelchair and its occupant.

(2) An adequate device shall be fitted to ensure that the ramp does not slip or tilt when in use.

(3) The ramp shall be capable of being stowed safely when not in use.

60. The equipment referred to in regulations 57, 58 and 59 shall be provided from—

(*a*) 20th December 1995 in the case of a vehicle first licensed on or after 20th December 1994; and

(*b*) 20th December 2000 in the case of a vehicle licensed before 20th December 1994.''.

Amendment of Schedule

6. The Schedule to the principal Regulations shall be renumbered as Schedule 4 and the following Schedules shall be inserted in the appropriate place—

''SCHEDULE 1

Exceptions from the provisions prescribed in Part II as applicable to vehicles registered before certain dates

1. Regulation 7(1) (fuel tanks, carburettors, etc) shall not apply—

(*a*) in the case of a vehicle registered before 1st April 1959 if, in the case of a single-decked vehicle or a half-decked vehicle, no fuel tank is placed under any part of any gangway which is within 600 millimetres of any entrance or exit and, in the case of a double-decked vehicle, no such tank is placed under any part of any gangway on the lower deck of that vehicle which is within 600 millimetres of any entrance or exit on that deck;

(*b*) in the case of a single-decked vehicle registered before 28th October 1964 which has a seating capacity not exceeding 12 passengers, if no fuel tank is placed immediately under any entrance or exit and no filling point for such a tank is situated under or immediately adjacent to any entrance or exit;

(*c*) in so far as it consists of sub-paragraph (*c*), in the case of a vehicle registered before 1st April 1959;

(*d*) in so far as it consists of sub-paragraph (*d*), in the case of a vehicle registered before 1st April 1959 if—

(i) the vehicle is fitted with an engine having a fuel injection system; or

(ii) the vehicle is not so fitted, but a cock is fitted by means of which the supply of fuel to any carburettor can be immediately cut off and the ''off'' position of the means of operation is clearly marked on the outside of the vehicle.

2. Regulation 10 (artificial lighting) in so far as it consists of sub-paragraph (*b*), shall not apply in the case of a vehicle registered before 1st April 1959 and the requirements as to lighting circuits in that regulation shall not apply in the case of a vehicle registered before 28th October 1964.

3. Regulation 11(2) (electical equipment) shall not apply in the case of a vehicle registered before 19th June 1968 if one or more electrical circuits in which the voltage exceeds 100 volts has been installed in the vehicle on or after that date.

4. Regulation 13 (height of sides of body) shall not apply in the case of a vehicle registered before 1st April 1959—

(*a*) in the case of a vehicle not being a single-decked vehicle, if it otherwise complies with the requirements of that regulation with the substitution of a reference to 990 millimetres for the reference therein to 1.21 metres; and

(*b*) in the case of a single-decked vehicle, if the height of the body sides from the deck measured at the sides of the vehicle is not less than 710 millimetres.

5. Regulation 14(1) (steps, platforms and stairs) shall not apply—

(*a*) in so far as consists of paragraph (*a*), in the case of a vehicle registered before 1st April 1982 in respect of any platform except a rear platform, and

(*b*) in so far as it consists of paragraph (*b*)(iv) in the case of a vehicle registered before 1st April 1959 if it otherwise complies with the requirements of the said condition (*b*) with the substitution of a reference to 990 millimetres for the reference therein to 1.21 metres.

6. Regulation 15 (number, position and size of entrances and exits) shall not apply—

(*a*) in so far as it consists of paragraphs (4) and (6) in the case of a vehicle registered before 1st April 1959 if it is provided with two exits so placed as not to be on the same side of the vehicle;

(*b*) in so far as it consists of paragraph (6) in the case of a vehicle registered on or after 1st April 1959 and before 28th October 1964 which has a seating capacity exceeding 45 passengers if—

(i) the vehicle is provided with two exits (of which neither is a secondary emergency exit) and those exits are not on the same side of the vehicle; and

(ii) in the case where exits are so placed that the distance between their centres is less than 3.05 metres, a secondary emergency exit is provided in such a position that there is a distance of not less than 3.05 metres between the nearest points of the openings of that exit and of whichever of the exits mentioned

in head (i) is the nearer to that exit. For the purpose of this paragraph the reference to the distance between the centres and between the nearest points of the openings of the two exits there mentioned shall be construed in accordance with regulation 15(1)(*e*);

(*c*) in so far as it consists of paragraph (9)—

(i) in the case of a vehicle registered before 1st April 1959 (not being a single-decked vehicle having a permanent top) if it is provided with two exits so placed as not to be on the same sides of the vehicle; or

(ii) in the case of a vehicle which—

A is provided with a platform such as is mentioned in head (i) of the proviso to regulation 15(4); or

B has a seating capacity not exceeding 14 passengers, if one means of exit and entrance is provided and is placed behind the rear wheels.

7. Regulation 17(1) (doors) shall not apply—

(*a*) in so far as it consists of sub-paragraph (*j*) in the case of a vehicle registered before 1st August 1968;

(*b*) save in so far as it consists of sub-paragraph (*j*) in the case of a vehicle registered before 19th June 1968 if—

(i) every entrance door and every exit door can be readily opened from inside and outside the vehicle by one operation of the locking mechanism;

Provided that a vehicle shall not be deemed to fail to comply with this sub-paragraph by reason only of the fact that, for the purpose of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism if the lock is so designed and constructed that the door can at all times be opened by a person inside the vehicle by one operation of the ordinary locking mechanism;

(ii) except in the case of a vehicle registered before 1st April 1959, the device provided outside the vehicle for operating the locking mechanism on the door (not being a device provided in relation to an emergency exit on the upper deck of a double-decked vehicle or in the roof of a half-decked vehicle) is readily accessible to persons of normal height standing at ground level outside the vehicle;

(iii) except in the case of a vehicle registered before 1st April 1959, means are provided for holding every entrance and exit door securely in the closed position;

(iv) except in the case of a vehicle registered before 1st April 1959, all locks and fastenings fitted to entrance and exit doors are so designed and fitted that they are not likely to become

dislodged or be operated accidentally, and, in that excepted case, door handles or levers to door catches are so designed and fitted that they are not likely to become dislodged or be operated accidentally;

(v) where any entrances are provided with doors which are designed to remain open when the vehicle is in motion, suitable fastenings are provided to hold such doors securely in the opened position;

(vi) except in the case of a vehicle registered before 1st April 1959, every sliding door and every folding door fitted to an entrance or exit is provided with suitable fastenings to prevent it from being closed by any movement of the vehicle;

(vii) all doors can open so as not to obstruct clear access to any entrance or exit from inside or outside the vehicle; and

(viii) except in the case of a vehicle registered before 1st April 1959, the means by which a power-operated door may be opened are provided inside the vehicle on or adjacent to the door and their position is clearly indicated and there is also an indication that the said means may be used by passengers only in an emergency; and the storage and transmission system of the power for operating the door is such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle and the apparatus is so designed and constructed that in the event of the system becoming inoperative the door can be operated manually from inside and outside the vehicle.

8. Regulation 18(1)(*a*)(iv) (marking, positioning and operation of emergency exits) shall not apply in the case of a vehicle registered before 1st April 1959, being a vehicle which is provided with a rear platform, if an emergency exit (of which the clear height at the centre line is not less than 1.52 metres and of which the width is not less than 455 millimetres) is provided from that platform to the rear of the vehicle and is enclosed by means of a door placed on the near side of that platform.

9. The provisions of regulation 20 (width of gangways) specified in column 1 of the Table shall not apply in the case of a vehicle specified, in relation to those provisions, in column 2.

TABLE

Column 1	*Column 2*
Paragraph (1)(*e*)	A vehicle registered before 19th June 1968.
Paragraph (1)(*d*)	A double-decked vehicle registered before 19th June 1969 if no part of any gangway which serves as a joint means of access from any entrance to the upper and lower decks is less than 910 millimetres in width.
Paragraph (1)(*a*), (*c*) and (*g*)C	A vehicle registered before 1st April 1959 if the width of every gangway is not less than 305 millimetres up to a height of 765 millimetres above the level of the deck and not less than 355 millimetres above that height.
Paragraph 1(*c*)	A vehicle registered after 1st April 1959 and before 19th June 1968 if no part of any gangway which is within 915 millimetres of an exit (other than an emergency exit) to which it leads is less than 530 millimetres in width.

10. Regulation 21 (height of gangways) shall not apply in the case of a half-decked vehicle registered before 8th August 1950, and regulation 21(1)(*d*) shall not apply in the case of a vehicle registered before 1st January 1947.

11. Regulation 22 (seats) shall not apply—

(*a*) in so far as it consists of paragraph (1)(*d*) in the case of a vehicle registered before 1st April 1959 if all the passengers' seats in the vehicle are so fitted—

(i) that no part of the back rest of any seat placed lengthwise is less than 1.37 metres from the corresponding part of the back rest of the seat facing it; and

(ii) there is in relation to every transverse seat in the vehicle a clear space of at least 660 millimetres in front of the whole length of the top of the back rest of that seat measured from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with condition (*b*) of the said paragraph (1) but disregarding any handles or grips which do not project more than 105 millimetres from the back rest;

(*b*) in so far as it consists of paragraph (1)(*f*) and (*g*) in the case of a vehicle registered before 1st April 1959 if no seat placed over the arch of a wheel of the vehicle is in such a position as to cause discomfort to passengers;

(*c*) in so far as it consists of paragraph (1)(*h*) in the case of a vehicle registered before 1st April 1959 if, as respects any transverse seat in the vehicle which is so placed that a passenger seated upon it is

liable to be thrown through any entrance to or exit from the vehicle or down a stairway in the vehicle, an effective screen or guard is placed so as to afford adequate protection against that occurrence to a passenger occupying that seat.

12. Regulation 24 (passenger protection) shall not apply in the case of a vehicle registered before 1st April 1959 if all glass windows or panels which face any transverse seat in the vehicle are adequately protected against the likelihood of breakage in the event of passengers being thrown against them.

13. Regulation 26 (driver's accommodation) shall not apply—

(*a*) in so far as it consists of sub-paragraphs (*b*) and (*e*) in the case of a vehicle registered before 1st April 1959;

(*b*) in so far as it consists of sub-paragraph (*d*) in the case of a vehicle registered before 1st April 1959 if means are provided (where necessary) to prevent light from the interior of the vehicle from incommoding the driver; and

(*c*) in so far as it consists of sub-paragraphs (*g*) and (*h*) in the case of a vehicle registered before 1st April 1959.

SCHEDULE 2 Regulation 29

Provisions prescribed in regulations in Part II, applicable to certain vehicles

Regulation 5 (Stability);
Regulation 6 (Guard rails);
Regulation 8 (Exhaust pipe);
Regulation 9 (Luggage racks);
Regulation 10 (Artificial lighting);
Regulation 11 (Electrical equipment)
Regulation 12 (Body);
Regulation 17 (Doors);
Regulation 18 (Marking, positioning and operation of emergency exits);
Regulation 22(1)(*a*) and (*h*) (Seats);
Regulation 24 (Passenger protection);
Regulation 25 (Ventilation);
Regulation 26 (Driver's accommodation);
Regulation 27 (Windscreens);
Regulation 28 (Passengers' communication with driver).

Application

1. This Schedule applies to every vehicle registered on or after the 1st April 1980.

Conditions

2. Save as provided below, the following conditions shall be complied with in relation to every power-operated door which is—

(*a*) fitted to a vehicle to which this Schedule applies, and

(*b*) so situated in the vehicle that the whole of the door opening is more than 500 millimetres behind the transverse vertical plane that touches the back of the driver's seat when the seat is in its rearmost position.

3.—(1) The first condition is that when the door is prevented from closing by the presence of a fixed vertical surface that is 60 millimetres high placed at right angles to the direction of movement of the closing edge—

(*a*) the force exerted on the surface does not exceed 150 newtons, and

(*b*) the door re-opens automatically and remains open until a closing control is operated manually.

(2) This condition shall not have to be met when a door is within 30 millimetres of its fully closed position, but shall otherwise apply wherever the surface is placed within the door opening (regardless of the stage of closure when the door first strikes the surface or of the part of the closing edge that strikes the surface).

4.—(1) The second condition is that whenever the door is closed on to the fingers or the palm of the hand—

(*a*) the door re-opens automatically and remains open until a closing control is operated manually, or

(*b*) the fingers or hand can be readily extracted from the doors without injury.

(2) This condition shall not apply to a door fitted to a coach manufactured before the 1st October 1992 or registered before the 1st April 1993.

(3) In this paragraph "coach" has the same meaning as in the Construction and Use Regulations.

5. The third condition is that a visual warning device, clearly visible to the driver at all times, is activated whenever the door is not fully closed.".

Savings

7. Part II of the principal Regulations, as originally enacted, shall apply to any vehicle which—

(*a*) is registered before 20th December 1994; and

(*b*) does not comply with Part II of the principal Regulations as substituted by regulation 4 of these Regulations.

Revocation

8. The Public Service Vehicles (Construction) (Amendment) Regulations (Northern Ireland) 1971(**a**) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on 8th November 1994.

(L.S.) *Trevor Pearson*
Assistant Secretary

(**a**) S.R. & O. 1971 No. 316

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Public Service Vehicles (Construction) Regulations (Northern Ireland) 1960.

The principal amendments are—

1. Part II (requirements for public service vehicles seating more than six passengers) has been substituted, so as to remove the following requirements which are out of date or are now contained in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989—

suspension	hub projection
turning circle	locking of nuts
clearance	guarding of transverse windows
lifeguards	markings
side overhang	wireless apparatus
brakes	laden weight
steering	overall length
brake and steering connections and transmission shafts	overall height
	overall width (regulation 4).

Part II, as originally enacted, will continue to apply to any public service vehicle seating more than six passengers, registered before 20th December 1994, if that vehicle does not comply with the substituted Part II (regulation 7).

2. Dimensions have been converted from imperial to metric measure.

3. The Regulations now extend to articulated buses in certain circumstances (regulation 4).

4. Insertion of new regulations into Part III (requirements for public service vehicles seating not more than six passengers) so as to require taxis licensed for public hire in the City of Belfast to be equipped with—

(*a*) anchorage points which are designed to hold a wheelchair securely in place on the vehicle;

(*b*) restraints which can be attached to a wheelchair or intended to be worn by its occupant and designed to prevent or lessen injury in the event of an accident; and

(*c*) a ramp for the loading or unloading of a wheelchair and its occupant.

The equipment specified shall be provided from 20th December 1995 in the case of a vehicle first licensed on or after 20th December 1994 and from 20th December 2000 in the case of a vehicle licensed before 20th December 1994 (regulation 5(2)).

The Public Services Vehicles (Construction) (Amendment) Regulations (Northern Ireland) 1971 are revoked as a consequence of these Regulations (regulation 8).

Any person who acts in contravention of Part II or regulations 57 to 60 of the Public Service Vehicles (Construction) Regulations (Northern Ireland) 1960 shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £400).